

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

415 Knollcrest Drive, Suite 100, Redding, California 96002
Phone (530) 224-4845 • FAX (530) 224-4847
<http://www.waterboards.ca.gov/centralvalley>

**ORDER NO. R5-2008-XXXX
NPDES NO. CA0080357**

R5 Merged Template
Version 1.6
Last Update
13 February 2007

**WASTE DISCHARGE REQUIREMENTS FOR
SIERRA PACIFIC INDUSTRIES QUINCY DIVISION
PLUMAS COUNTY**

The following Discharger is subject to waste discharge requirements as set forth in this Order:

Table 1. Discharger Information

Discharger	Sierra Pacific Industries
Name of Facility	Quincy Division
Facility Address	1538 Lee Road
	Quincy, CA, 95971
	Plumas
The U.S. Environmental Protection Agency (USEPA) and the Regional Water Quality Control Board have classified this discharge as a minor discharge.	

The discharge by the Owner and Operator from the discharge points identified below is subject to waste discharge requirements as set forth in this Order:

Table 2. Discharge Location

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
001	Log Yard Sprinkle Water Storm Water Run-off (1 st flush) Power Plant Discharge Water	39°, 56', 34.8" N	120°, 54', 24.38" W	Mill Creek
002	Log Yard Storm Water Run-off	39°, 56', 42.89" N	120°, 54', 43.55" W	Mill Creek
SW-001	Storm Water	39°, 56', 43.69" N	120°, 54', 45.92" W	Mill Creek

Table 3. Administrative Information

This Order was adopted by the Regional Water Quality Control Board on:	<Adoption Date>
This Order shall become effective on:	<Effective Date>
This Order shall expire on:	<Expiration Date>
The Discharger shall file a Report of Waste Discharge in accordance with title 23, California Code of Regulations, as application for issuance of new waste discharge requirements no later than:	<insert date>

IT IS HEREBY ORDERED, that Order No. **R5-2002-0132** is rescinded upon the effective date of this Order except for enforcement purposes, and, in order to meet the provisions contained in division 7 of the Water Code (commencing with section 13000) and regulations adopted thereunder, and the provisions of the federal Clean Water Act (CWA) and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify that this Order with all attachments is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on **<Adoption Date>**.

PAMELA C. CREEDON, Executive Officer

Table of Contents

I.	Facility Information	1
II.	Findings	1
III.	Discharge Prohibitions	8
IV.	Effluent Limitations and Discharge Specifications	9
	A. Effluent Limitations – Discharge Point 001	9
	1. Final Effluent Limitations – Discharge Point 001	9
	2. Interim Effluent Limitations	9
	B. Land Discharge Specifications – Not Applicable	10
	C. Reclamation Specifications – Not Applicable	10
V.	Receiving Water Limitations	10
	A. Surface Water Limitations	10
	B. Groundwater Limitations	13
VI.	Provisions	13
	A. Standard Provisions	13
	B. Monitoring and Reporting Program (MRP) Requirements	17
	C. Special Provisions	17
	1. Reopener Provisions	17
	2. Special Studies, Technical Reports and Additional Monitoring Requirements	18
	3. Best Management Practices and Pollution Prevention	21
	4. Construction, Operation and Maintenance Specifications	22
	5. Special Provisions for Municipal Facilities (POTWs Only) – Not Applicable	22
	6. Other Special Provisions	22
	7. Compliance Schedules	23
VII.	Compliance Determination	25

List of Tables

Table 1.	Discharger Information	Cover
Table 2.	Discharge Location	Cover
Table 3.	Administrative Information	Cover
Table 4.	Facility Information	1
Table 5.	Basin Plan Beneficial Uses	4
Table 6.	Effluent Limitations	9
Table 7.	Interim Effluent Limitations	10
Table 8.	Salinity Evaluation and Minimization Plan	21
Table 9.	BPTC Evaluation	21

List of Attachments

Attachment A – Definitions	A-1
Attachment B – Maps	B-1
Attachment C-1 – Current Site Plan	C-1
Attachment C-2 – Site Plan with Future Water Management	C-2
Attachment C-3 – Groundwater Monitoring Wells	C-3
Attachment D – Standard Provisions	D-1
Attachment E – Monitoring and Reporting Program (MRP)	E-1
Attachment F – Fact Sheet	F-1

I. FACILITY INFORMATION

The following Discharger is subject to waste discharge requirements as set forth in this Order:

Table 4. Facility Information

Discharger	Sierra Pacific Industries
Name of Facility	Quincy Division
Facility Address	1538 Lee Road
	Quincy, CA, 95971
	Plumas
Facility Contact, Title, and Phone	Gary Solberg, Division Manager, 530-2832820
Mailing Address	P.O. Box 750, Quincy, CA, 95971
Type of Facility	4911 – Electrical Services
	2421 – Sawmills and Planing Mill
Facility Design Flow	NA

II. FINDINGS

The California Regional Water Quality Control Board, Central Valley Region (hereinafter Regional Water Board), finds:

A. Background. Sierra Pacific Industries (hereinafter Discharger) is currently discharging pursuant to Order No. R5-2002-0132 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0080357. The Discharger submitted a Report of Waste Discharge, dated February 2007, and applied for a NPDES permit renewal to discharge log yard sprinkle water, storm water run-off, and power plant discharge water from the Quincy Division, hereinafter Facility. Based on discussions with the Discharger, additional information to the Report of Waste Discharge was submitted in July and August 2007.

For the purposes of this Order, references to the “discharger” or “permittee” in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

B. Facility Description. The Discharger owns and operates a sawmill and wood-burning cogeneration facility. The sawmill produces approximately 210 million board feet of lumber per year. The cogeneration plant currently produces a gross 27-megawatts (MW) of electric power, and a net 15-20MW, which are sold on the market. The sawmill and the power plant are bordered by Mill Creek to the north and east, Lee Road to the south, and Bell Lane to the west. The facility is located on eight adjoining parcels of land totaling approximately 100 acres.

Wastewater is discharged from Discharge Point 001. Discharge Point 001 is the current permitted discharge point for the facility and is located near the settling ponds. However, planned site modifications include moving 001 adjacent to the retention pond and creating storm water discharge points 002 and SW-001. Discharge points -001, 002, and SW-001 (see table on cover page) discharge to Mill Creek, a water of the United States, and a tributary of Spanish Creek, which is a tributary of the East Branch of the North Fork of the Feather River. Discharge Point 001 discharges wastewater including power plant discharge water, and first flush storm water run-off during the rainy season (typically November through April). Discharge Point 002 will discharge log yard storm water run-off from the log yard only; SW-001 will discharge industrial storm water only. Attachment B provides a map of the area around the Facility. Attachment C provides both the current and future flow schematics of the Facility.

- C. Legal Authorities.** This Order is issued pursuant to section 402 of the federal Clean Water Act (CWA) and implementing regulations adopted by the U.S. Environmental Protection Agency (USEPA) and chapter 5.5, division 7 of the California Water Code (commencing with section 13370). It shall serve as a NPDES permit for point source discharges from this facility to surface waters. This Order also serves as Waste Discharge Requirements (WDRs) pursuant to article 4, chapter 4, division 7 of the Water Code (commencing with section 13260).
- D. Background and Rationale for Requirements.** The Regional Water Board developed the requirements in this Order based on information submitted as part of the application, through monitoring and reporting programs, and other available information. The Fact Sheet (Attachment F), which contains background information and rationale for Order requirements, is hereby incorporated into this Order and constitutes part of the Findings for this Order. Attachments A through E are also incorporated into this Order.
- E. California Environmental Quality Act (CEQA).** Under Water Code section 13389, this action to adopt an NPDES permit is exempt from the provisions of CEQA, Public Resources Code sections 21100-21177.
- F. Technology-based Effluent Limitations.** Section 301(b) of the CWA and implementing USEPA permit regulations at section 122.44, title 40 of the Code of Federal Regulations (CFR)¹ require that permits include conditions meeting applicable technology-based requirements at a minimum, and any more stringent effluent limitations necessary to meet applicable water quality standards. The discharge authorized by this Order must meet minimum federal technology-based requirements based on Effluent Limitations Guidelines and Standards for Timber Products Processing Point Source Category in Part 429.10. A detailed discussion of the technology-based effluent limitations development is included in the Fact Sheet (Attachment F).

¹ All further statutory references are to title 40 of the Code of Federal Regulations unless otherwise indicated.

G. Water Quality-based Effluent Limitations. Section 301(b) of the CWA and section 122.44(d) require that permits include limitations more stringent than applicable federal technology-based requirements where necessary to achieve applicable water quality standards.

Section 122.44(d)(1)(i) mandates that permits include effluent limitations for all pollutants that are or may be discharged at levels that have the reasonable potential to cause or contribute to an exceedance of a water quality standard, including numeric and narrative objectives within a standard. Where reasonable potential has been established for a pollutant, but there is no numeric criterion or objective for the pollutant, water quality-based effluent limitations (WQBELs) must be established using: (1) EPA criteria guidance under CWA section 304(a), supplemented where necessary by other relevant information; (2) an indicator parameter for the pollutant of concern; or (3) a calculated numeric water quality criterion, such as a proposed State criterion or policy interpreting the State's narrative criterion, supplemented with other relevant information, as provided in 40 CFR section 122.44(d)(1)(vi).

Also as specified in Section 122.44(K), best management practices (BMPs) may be used in lieu of numeric effluent limitations when:

1. authorized under section 304(e) of the CWA for control of toxic pollutants and hazardous substances from ancillary industrial activities;
2. authorized under section 402(p) of the CWA for the control of storm water discharges;
3. numeric effluent limitations are infeasible; or
4. the practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purpose and intent of the CWA.

Section 402(p) authorizes regulation of storm water discharges associated with industrial activities. A combination of BMPs, numeric effluent limitations, and receiving water limitations are utilized in this Order to regulate the discharge of pollutants from the Discharger's Facility.

H. Water Quality Control Plans. The Regional Water Board adopted a *Water Quality Control Plan, Fourth Edition (Revised October 2007), for the Sacramento and San Joaquin River Basins* (hereinafter Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. The Basin Plan at page II-2.00 states that the "...beneficial uses of any specifically identified water body generally apply to its tributary streams." The Basin Plan does not specifically identify beneficial uses for Mill Creek, but does identify present and potential uses for the North Fork of the Feather River, to which Mill Creek, via Spanish Creek, is tributary. These beneficial uses are as follows: municipal and domestic supply; hydropower generation;

water contact recreation, including canoeing and rafting; non-contact water recreation, including aesthetic enjoyment; commercial and sport fishing; aquaculture; cold freshwater habitat; cold spawning, reproduction, and /or early development; and wildlife habitat.

In addition, the Basin Plan implements State Water Resources Control Board (State Water Board) Resolution No. 88-63, which established state policy that all waters, with certain exceptions, should be considered suitable or potentially suitable for municipal or domestic supply. Thus, as discussed in detail in the Fact Sheet, beneficial uses applicable to Mill Creek are as follows:

Table 5. Basin Plan Beneficial Uses

Discharge Point	Receiving Water Name	Beneficial Use(s)
001, 002	Mill Creek	<u>Existing:</u> Municipal and domestic water supply (MUN); Hydropower generation (POW); Contact (REC-1) and non-contact (REC-2) water recreation; Cold freshwater habitat (COLD); Cold spawning (SPWN); Wildlife habitat (WILD); and Ground water recharge (GWR);

- I. National Toxics Rule (NTR) and California Toxics Rule (CTR).** USEPA adopted the NTR on December 22, 1992, and later amended it on May 4, 1995 and November 9, 1999. About forty criteria in the NTR applied in California. On May 18, 2000, USEPA adopted the CTR. The CTR promulgated new toxics criteria for California and, in addition, incorporated the previously adopted NTR criteria that were applicable in the state. The CTR was amended on February 13, 2001. These rules contain water quality criteria for priority pollutants.
- J. State Implementation Policy.** On March 2, 2000, the State Water Board adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (State Implementation Policy or SIP). The SIP became effective on April 28, 2000 with respect to the priority pollutant criteria promulgated for California by the USEPA through the NTR and to the priority pollutant objectives established by the Regional Water Board in the Basin Plan. The SIP became effective on May 18, 2000 with respect to the priority pollutant criteria promulgated by the USEPA through the CTR. The State Water Board adopted amendments to the SIP on February 24, 2005 that became effective on July 13, 2005. The SIP establishes implementation provisions for priority pollutant criteria and objectives and provisions for chronic toxicity control. Requirements of this Order implement the SIP.
- K. Compliance Schedules and Interim Requirements.** In general, an NPDES permit must include final effluent limitations that are consistent with Clean Water Act section

301 and with 40 CFR 122.44(d). There are exceptions to this general rule. The State Water Board has concluded that where the Regional Water Board's Basin Plan allows for schedules of compliance and the Regional Water Board is newly interpreting a narrative standard, it may include schedules of compliance in the permit to meet effluent limits that implement a narrative standard. See *In the Matter of Waste Discharge Requirements for Avon Refinery* (State Board Order WQ 2001-06 at pp. 53-55). See also *Communities for a Better Environment et al. v. State Water Resources Control Board*, 34 Cal.Rptr.3d 396, 410 (2005). The Basin Plan for the Sacramento and San Joaquin Rivers includes a provision that authorizes the use of compliance schedules in NPDES permits for water quality objectives that are adopted after the date of adoption of the Basin Plan, which was September 25, 1995 (See Basin Plan at page IV-16). Consistent with the State Water Board's Order in the CBE matter, the Regional Water Board has the discretion to include compliance schedules in NPDES permits when it is including an effluent limitation that is a "new interpretation" of a narrative water quality objective. This conclusion is also consistent with the United States Environmental Protection Agency policies and administrative decisions. See, e.g., Whole Effluent Toxicity (WET) Control Policy. The Regional Water Board, however, is not required to include a schedule of compliance, but may issue a Time Schedule Order pursuant to Water Code section 13300 or a Cease and Desist Order pursuant to Water Code section 13301 where it finds that the discharger is violating or threatening to violate the permit. The Regional Water Board will consider the merits of each case in determining whether it is appropriate to include a compliance schedule in a permit, and, consistent with the Basin Plan, should consider feasibility of achieving compliance, and must impose a schedule that is as short as practicable to achieve compliance with the objectives, criteria, or effluent limit based on the objective or criteria.

For CTR constituents, Section 2.1 of the SIP provides that, based on a Discharger's request and demonstration that it is infeasible for an existing Discharger to achieve immediate compliance with an effluent limitation derived from a CTR criterion, compliance schedules may be allowed in an NPDES permit. Unless an exception has been granted under section 5.3 of the SIP, a compliance schedule may not exceed 5 years from the date that the permit is issued or reissued, nor may it extend beyond 10 years from the effective date of the SIP (or May 18, 2010) to establish and comply with CTR criterion-based effluent limitations. Where a compliance schedule for a final effluent limitation exceeds 1 year, the Order must include interim numeric limitations for that constituent or parameter. Where allowed by the Basin Plan, compliance schedules and interim effluent limitations or discharge specifications may also be granted to allow time to implement a new or revised water quality objective. This Order includes compliance schedules and interim effluent limitations. A detailed discussion of the basis for the compliance schedule(s) and interim effluent limitation(s) and/or discharge specifications is included in the Fact Sheet.

- L. Alaska Rule.** On March 30, 2000, USEPA revised its regulation that specifies when new and revised state and tribal water quality standards (WQS) become effective for CWA purposes. (40 C.F.R. § 131.21; 65 Fed. Reg. 24641 (April 27, 2000).) Under the revised regulation (also known as the Alaska rule), new and revised standards

submitted to USEPA after May 30, 2000, must be approved by USEPA before being used for CWA purposes. The final rule also provides that standards already in effect and submitted to USEPA by May 30, 2000 may be used for CWA purposes, whether or not approved by USEPA.

M. Stringency of Requirements for Individual Pollutants. This Order contains both technology-based and water quality-based effluent limitations for individual pollutants. The technology-based effluent limitations consist of restrictions on pH. The water quality-based effluent limitations consist of restrictions on suspended solids, settleable solids, EC, copper and lead. This Order's technology-based pollutant restrictions implement the minimum, applicable federal technology-based requirements. In addition, this Order contains limitations more stringent than the minimum, federal technology-based requirements that are necessary to meet water quality standards. These limitations are more stringent than required by the CWA. The rationale for including these limitations is explained in the Fact Sheet.

Water quality-based effluent limitations have been scientifically derived to implement water quality objectives that protect beneficial uses. Both the beneficial uses and the water quality objectives have been approved pursuant to federal law and are the applicable federal water quality standards. To the extent that toxic pollutant water quality-based effluent limitations were derived from the CTR, the CTR is the applicable standard pursuant to 40 CFR section 131.38. The scientific procedures for calculating the individual water quality-based effluent limitations are based on the CTR-SIP, which was approved by USEPA on May 1, 2001. All beneficial uses and water quality objectives contained in the Basin Plan were approved under state law and submitted to and approved by USEPA prior to May 30, 2000. Any water quality objectives and beneficial uses submitted to USEPA prior to May 30, 2000, but not approved by USEPA before that date, are nonetheless "*applicable water quality standards for purposes of the [Clean Water] Act*" pursuant to 40 CFR section 131.21(c)(1). Collectively, this Order's restrictions on individual pollutants are no more stringent than required to implement the technology-based requirements of the CWA and the applicable water quality standards for purposes of the CWA.

N. Antidegradation Policy. Section 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 is consistent with the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the state and federal antidegradation policies. As discussed in detail in the Fact Sheet the permitted discharge is consistent with the antidegradation provision of section 131.12 and State Water Board Resolution No. 68-16. This Order specifically prohibits the discharge from causing the water quality in the receiving water to be degraded so as to cause a designated beneficial use or water quality standard to be violated.

O. Anti-Backsliding Requirements. Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at title 40, Code of Federal Regulations section 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require effluent limitations in a reissued permit to be as stringent as those in the previous permit, with some exceptions where limitations may be relaxed. All effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order. Previously applicable effluent limitations remain applicable. BMPs and receiving water limitations have been added.

All receiving water beneficial uses will be protected and all water quality standards will be met in the receiving water.

P. Monitoring and Reporting. Section 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. Water Code sections 13267 and 13383 authorizes the Regional Water Board to require technical and monitoring reports. The Monitoring and Reporting Program establishes monitoring and reporting requirements to implement federal and State requirements. This Monitoring and Reporting Program is provided in Attachment E.

Q. Standard and Special Provisions. Standard Provisions, which apply to all NPDES permits in accordance with section 122.41, and additional conditions applicable to specified categories of permits in accordance with section 122.42, are provided in Attachment D. The discharger must comply with all standard provisions and with those additional conditions that are applicable under section 122.42. The Regional Water Board has also included in this Order special provisions applicable to the Discharger. A rationale for the special provisions contained in this Order is provided in the attached Fact Sheet.

R. Provisions and Requirements Implementing State Law. The provisions/requirements in subsections IV.B, IV.C, V.B, and VI.C of this Order are included to implement state law only. These provisions/requirements are not required or authorized under the federal CWA; consequently, violations of these provisions/requirements are not subject to the enforcement remedies that are available for NPDES violations.

S. Notification of Interested Parties. The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe Waste Discharge Requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Details of notification are provided in the Fact Sheet of this Order.

T. Consideration of Public Comment. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge. Details of the Public Hearing are provided in the Fact Sheet of this Order.

III. DISCHARGE PROHIBITIONS

- A. Discharge of wastewater at a location or in a manner different from that described in the Findings is prohibited.
- B. The by-pass or overflow of wastes to surface waters is prohibited, except as allowed by Federal Standard Provisions I.G. and I.H. (Attachment D).
- C. Neither the discharge nor its treatment shall create a nuisance as defined in Section 13050 of the California Water Code.
- D. The discharge shall not cause degradation of any water supply.
- E. Management of wood fuel stockpiles and ash stockpiles shall not adversely affect groundwater quality.
- F. The discharge of debris recognized as originating from the facility to surface waters or surface water drainage courses is prohibited.
- G. Freeboard limitations for the settling ponds and the retention pond shall be in effect in the following manner:
 - a. Between 1 October and 1 April, the Discharger shall maintain a minimum of two feet of freeboard in each pond (measured vertically to the lowest point of overflow).
 - b. During the remainder of the year, the Discharger shall maintain a minimum of 1 foot of freeboard in each pond.
- H. Discharge to septic tank leachfield system shall remain underground all the times.

IV. EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

A. Effluent Limitations – Discharge Point 001

1. Final Effluent Limitations – Discharge Point 001

The Discharger shall maintain compliance with the following effluent limitations at Discharge Point 001, with compliance measured at Monitoring Location 001 as described in the attached MRP (Attachment E):

- a. The Discharger shall maintain compliance with the effluent limitations specified in Table 6:

Table 6. Effluent Limitations

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Suspended Solids	mg/L	--	--	100	--	--
Settleable Solids	mL/L	0.1	--	0.2	--	--
Electrical Conductivity	µmhos/cm	700	--	900	--	--
pH	s.u.	--	--	--	6.0	9.0
Total Copper ¹	µg/L	3.3	--	6.6	--	--
Total Lead ¹	µg/L	0.56	--	1.13	--	--

¹ Final effluent limit

- b. **Acute Whole Effluent Toxicity.** Survival of aquatic organisms in 96-hour bioassays of undiluted waste shall be no less than:
 - i. 70%, minimum for any one bioassay; and
 - ii. 90%, median for any three consecutive bioassays.

2. Interim Effluent Limitations

- a. During the period beginning on the **Permit Effective Date** and ending on **18 May 2010**, the Discharger shall maintain compliance with the following limitations at Discharge Point 001, with compliance measured at Monitoring Location 001 as described in the attached MRP. These interim effluent limitations shall apply in lieu of the corresponding final effluent limitations specified for the same parameters during the time period indicated in this provision.

Table 7. Interim Effluent Limitations

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Copper	µg/L	--	--	21.65	--	--
Lead	µg/L	--	--	2.55	--	--

B. Land Discharge Specifications – Not Applicable**C. Reclamation Specifications – Not Applicable****V. RECEIVING WATER LIMITATIONS****A. Surface Water Limitations**

Receiving water limitations are based on the Basin Plan numerical and narrative water quality objectives for, and California/National Toxics Rule criteria for biostimulatory substances, copper, chemical constituents, color, dissolved oxygen, floating material, iron, lead, oil and grease, pH, pesticides, radioactivity, salinity and electrical conductivity, suspended sediment, settleable material, suspended material, tastes and odors, temperature, toxicity, and turbidity and are a required part of this Order. Receiving water limitations are also used in this permit to ensure that the regulated storm water discharge does not cause the water quality of the receiving water to exceed an applicable standard. The discharge shall not cause the following in Mill Creek:

1. **Biostimulatory Substances.** Water to contain biostimulatory substances which promote aquatic growths in concentrations that cause nuisance or adversely affect beneficial uses.
2. **Chemical Constituents.** Chemical constituents to be present in concentrations that adversely affect beneficial uses.
3. **Color.** Discoloration that causes nuisance or adversely affects beneficial uses.
4. **Copper.** The CTR and Basin Plan include hardness-dependent water quality criteria and objectives for the protection of freshwater aquatic life for copper as follows:
 - a. CTR Criteria Continuous Concentration (4-day Average, dissolved) = $(\exp\{0.8545[\ln(\text{hardness})] - 1.702\}) \times 0.960$;
 - b. CTR Criteria Maximum Concentration (1-hour Average, dissolved) = $(\exp\{0.9422[\ln(\text{hardness})] - 1.700\}) \times 0.960$; and

- c. Basin Plan Objective (instantaneous maximum, dissolved) =
 $(\exp\{0.905[\ln(\text{hardness})] - 1.612\})$.

The discharge shall not cause the water quality in Mill Creek to exceed any of the above criteria or objectives.

5. **Floating Material.** Floating material to be present in amounts that cause nuisance or adversely affect beneficial uses.
6. **Iron.** Iron to exceed the Secondary MCL - Consumer Acceptance Limit of 300 µg/L. An AMEL of 300 ug/L for iron is included in this Order based on protection of the Basin Plan's narrative chemical constituents objective.
7. **Lead.** The CTR and Basin Plan include hardness-dependent water quality criteria and objectives for the protection of freshwater aquatic life for lead as follows:
- a. CTR Criteria Continuous Concentration (4-day Average, dissolved) =
 $(\exp\{1.273[\ln(\text{hardness})] - 4.705\}) \times (1.46203 - \{[\ln(\text{hardness})] \times [0.145712]\})$;
- b. CTR Criteria Maximum Concentration (1-hour Average, dissolved) =
 $(\exp\{1.273[\ln(\text{hardness})] - 1.460\}) \times (1.46203 - \{[\ln(\text{hardness})] \times [0.145712]\})$.

The discharge shall not cause the water quality in Mill Creek to exceed any of the above criteria or objectives.

8. **Oil and Grease.** Oils, greases, waxes, or other materials to be present in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.
9. **pH.** The pH to be depressed below 6.5, raised above 8.5, nor changed by more than 0.5 units.
10. **Pesticides:**
- a. Pesticides to be present, individually or in combination, in concentrations that adversely affect beneficial uses;
- b. Pesticides to be present in bottom sediments or aquatic life in concentrations that adversely affect beneficial uses;
- c. Total identifiable persistent chlorinated hydrocarbon pesticides to be present in the water column at concentrations detectable within the accuracy of analytical methods approved by USEPA or the Executive Officer.
- d. Pesticide concentrations to exceed those allowable by applicable antidegradation policies (see State Water Board Resolution No. 68-16 and 40 CFR §131.12.).
- e. Pesticide concentrations to exceed the lowest levels technically and economically achievable.

- f. Pesticides to be present in concentrations in excess of the maximum contaminant levels set forth in California Code of Regulations, Title 22, Division 4, Chapter 15.
- g. Thiobencarb to be present in excess of 1.0 µg/L.
- h. Beginning July 1, 2008, the direct or indirect discharge of diazinon into the Sacramento and Feather Rivers or any sub-watershed if, in the previous year (July-June), any exceedance of the diazinon water quality objectives occurred.

11. Radioactivity:

- a. Radionuclides to be present in concentrations that are harmful to human, plant, animal, or aquatic life nor that result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal, or aquatic life.
- b. Radionuclides to be present in excess of the maximum contaminant levels specified in Table 4 (MCL Radioactivity) of Section 64443 of Title 22 of the California Code of Regulations.

12. Salinity and Electrical Conductivity (EC). The electrical conductivity to exceed 900 umhos/cm. An averaging period may be applied when determining compliance with the EC limitation.

13. Suspended Sediments. The suspended sediment load and suspended sediment discharge rate of surface waters to be altered in such a manner as to cause nuisance or adversely affect beneficial uses.

14. Settleable Substances. Substances to be present in concentrations that result in the deposition of material that causes nuisance or adversely affects beneficial uses.

15. Suspended Material. Suspended material to be present in concentrations that cause nuisance or adversely affect beneficial uses.

16. Taste and Odors. Taste- or odor-producing substances to be present in concentrations that impart undesirable tastes or odors to fish flesh or other edible products of aquatic origin, or that cause nuisance, or otherwise adversely affect beneficial uses or domestic or municipal water supplies.

17. Toxicity. Toxic substances to be present, individually or in combination, in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.

18. Turbidity. The turbidity to increase as follows:

- a. More than 1 Nephelometric Turbidity Unit (NTU) where natural turbidity is between 0 and 5 NTUs.
- b. More than 20 percent where natural turbidity is between 5 and 50 NTUs.
- c. More than 10 NTU where natural turbidity is between 50 and 100 NTUs.
- d. More than 10 percent where natural turbidity is greater than 100 NTUs.

B. Groundwater Limitations

1. The discharge shall not cause the underlying groundwater or groundwater downgradient of the facility to:
 - a. Contain waste constituents in concentrations statistically greater than background water quality;
 - b. Exhibit a pH of less than 6.5 or greater than 8.5 pH units;
 - c. Impart taste, odor, toxicity, or color that creates nuisance or impairs any beneficial use.

VI. PROVISIONS

A. Standard Provisions

1. The Discharger shall comply with all Standard Provisions included in Attachment D of this Order.
2. The Discharger shall comply with the following provisions:
 - a. If the Discharger's wastewater treatment plant is publicly owned or subject to regulation by the California Public Utilities Commission, it shall be supervised and operated by persons possessing certificates of appropriate grade according to Title 23, CCR, Division 3, Chapter 26.
 - b. After notice and opportunity for a hearing, this Order may be terminated or modified for cause, including, but not limited to:
 - i. violation of any term or condition contained in this Order;
 - ii. obtaining this Order by misrepresentation or by failing to disclose fully all relevant facts;
 - iii. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge; and
 - iv. a material change in the character, location, or volume of discharge.

The causes for modification include:

- *New regulations.* New regulations have been promulgated under Section 405(d) of the Clean Water Act, or the standards or regulations on which the permit was based have been changed by promulgation of amended standards or regulations or by judicial decision after the permit was issued.

- *Land application plans.* When required by a permit condition to incorporate a land application plan for beneficial reuse of sewage sludge, to revise an existing land application plan, or to add a land application plan.
- *Change in sludge use or disposal practice.* Under 40 Code of Federal Regulations (CFR) 122.62(a)(1), a change in the Discharger's sludge use or disposal practice is a cause for modification of the permit. It is cause for revocation and reissuance if the Discharger requests or agrees.

The Regional Water Board may review and revise this Order at any time upon application of any affected person or the Regional Water Board's own motion.

- c. If a toxic effluent standard or prohibition (including any scheduled compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the CWA, or amendments thereto, for a toxic pollutant that is present in the discharge authorized herein, and such standard or prohibition is more stringent than any limitation upon such pollutant in this Order, the Regional Water Board will revise or modify this Order in accordance with such toxic effluent standard or prohibition.

The Discharger shall comply with effluent standards and prohibitions within the time provided in the regulations that establish those standards or prohibitions, even if this Order has not yet been modified.

- d. This Order shall be modified, or alternately revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the CWA, if the effluent standard or limitation so issued or approved:
- i. contains different conditions or is otherwise more stringent than any effluent limitation in the Order; or
 - ii. controls any pollutant limited in the Order.

The Order, as modified or reissued under this paragraph, shall also contain any other requirements of the CWA then applicable.

- e. The provisions of this Order are severable. If any provision of this Order is found invalid, the remainder of this Order shall not be affected.
- f. The Discharger shall take all reasonable steps to minimize any adverse effects to waters of the State or users of those waters resulting from any discharge or sludge use or disposal in violation of this Order. Reasonable steps shall include such accelerated or additional monitoring as necessary to determine the nature and impact of the non-complying discharge or sludge use or disposal.

- g. The Discharger shall ensure compliance with any existing or future pretreatment standard promulgated by USEPA under Section 307 of the CWA, or amendment thereto, for any discharge to the municipal system.
- h. The discharge of any radiological, chemical or biological warfare agent or high-level, radiological waste is prohibited.
- i. A copy of this Order shall be maintained at the discharge facility and be available at all times to operating personnel. Key operating personnel shall be familiar with its content.
- j. Safeguard to electric power failure:
 - i. The Discharger shall provide safeguards to assure that, should there be reduction, loss, or failure of electric power, the discharge shall comply with the terms and conditions of this Order.
 - ii. Upon written request by the Regional Water Board the Discharger shall submit a written description of safeguards. Such safeguards may include alternate power sources, standby generators, retention capacity, operating procedures, or other means. A description of the safeguards provided shall include an analysis of the frequency, duration, and impact of power failures experienced over the past five years on effluent quality and on the capability of the Discharger to comply with the terms and conditions of the Order. The adequacy of the safeguards is subject to the approval of the Regional Water Board.
 - iii. Should the treatment works not include safeguards against reduction, loss, or failure of electric power, or should the Regional Water Board not approve the existing safeguards, the Discharger shall, within ninety days of having been advised in writing by the Regional Water Board that the existing safeguards are inadequate, provide to the Regional Water Board and USEPA a schedule of compliance for providing safeguards such that in the event of reduction, loss, or failure of electric power, the Discharger shall comply with the terms and conditions of this Order. The schedule of compliance shall, upon approval of the Regional Water Board, become a condition of this Order.
- k. The Discharger, upon written request of the Regional Water Board, shall file with the Board a technical report on its preventive (failsafe) and contingency (cleanup) plans for controlling accidental discharges, and for minimizing the effect of such events.

The technical report shall:

- i. Identify the possible sources of spills, leaks, untreated waste by-pass, and contaminated drainage. Loading and storage areas, power outage, waste treatment unit outage, and failure of process equipment, tanks and pipes should be considered.

- ii. Evaluate the effectiveness of present facilities and procedures and state when they became operational.
- iii. Predict the effectiveness of the proposed facilities and procedures and provide an implementation schedule containing interim and final dates when they will be constructed, implemented, or operational.

The Regional Water Board, after review of the technical report, may establish conditions, which it deems necessary to control accidental discharges and to minimize the effects of such events. Such conditions shall be incorporated as part of this Order, upon notice to the Discharger.

- I. The Discharger shall submit technical reports as directed by the Executive Officer. All technical reports required herein that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code, sections 6735, 7835, and 7835.1. To demonstrate compliance with Title 16, CCR, sections 415 and 3065, all technical reports must contain a statement of the qualifications of the responsible registered professional(s). As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.
- m. Laboratories that perform sample analyses must be identified in all monitoring reports submitted to the Regional Water Board and USEPA.
- n. The Discharger shall conduct analysis on any sample provided by USEPA as part of the Discharge Monitoring Quality Assurance (DMQA) program. The results of any such analysis shall be submitted to USEPA's DMQA manager.
- o. Effluent samples shall be taken downstream of the last addition of wastes to the treatment or discharge works where a representative sample may be obtained prior to mixing with the receiving waters. Samples shall be collected at such a point and in such a manner to ensure a representative sample of the discharge.
- p. All monitoring and analysis instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary, at least yearly, to ensure their continued accuracy.
- q. The Discharger shall file with the Regional Water Board technical reports on self-monitoring performed according to the detailed specifications contained in the Monitoring and Reporting Program attached to this Order.
- r. The results of all monitoring required by this Order shall be reported to the Regional Water Board, and shall be submitted in such a format as to allow direct comparison with the limitations and requirements of this Order. Unless otherwise

specified, discharge flows shall be reported in terms of the monthly average and the daily maximum discharge flows.

- s. The Regional Water Board is authorized to enforce the terms of this permit under several provisions of the CWC, including, but not limited to, sections 13385, 13386, and 13387.
- t. In the event the Discharger does not comply or will be unable to comply for any reason, with any prohibition, maximum daily effluent limitation, 1-hour average effluent limitation, or receiving water limitation contained in this Order, the Discharger shall notify the Regional Water Board by telephone (916) 464-3291 within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Regional Water Board waives confirmation. The written notification shall include the information required by Attachment D, Section V.E.1 [40 CFR section 122.41(l)(6)(i)].

B. Monitoring and Reporting Program (MRP) Requirements

- 1. The Discharger shall comply with the MRP, and future revisions thereto, in Attachment E of this Order.

C. Special Provisions

1. Reopener Provisions

- a. This Order may be reopened for modification, or revocation and reissuance, as a result of the detection of a reportable priority pollutant generated by special conditions included in this Order. These special conditions may be, but are not limited to, fish tissue sampling, whole effluent toxicity, monitoring requirements on internal waste stream(s), and monitoring for surrogate parameters. Additional requirements may be included in this Order as a result of the special condition monitoring data.
- b. Conditions that necessitate a major modification of a permit are described in 40 CFR section 122.62, including:
 - i. If new or amended applicable water quality standards are promulgated or approved pursuant to Section 303 of the CWA, or amendments thereto, this permit may be reopened and modified in accordance with the new or amended standards.
 - ii. When new information, that was not available at the time of permit issuance, would have justified different permit conditions at the time of issuance.
- c. **Pollution Prevention.** This Order requires the Discharger prepare pollution prevention plans following CWC section 13263.3(d)(3) for copper and lead. Based on a review of the pollution prevention plans, this Order may be reopened

for addition and/or modification of effluent limitations and requirements for these constituents.

- d. **Log Yard Flushing.** Results from the log yard flushing study may be used to establish a discharge specification requiring a certain volume of flush or amount of rainfall before log yard runoff can be directed to Discharge -002 and off site. This Order may be reopened to implement the discharge specification.
- e. **Whole Effluent Toxicity.** As a result of a Toxicity Reduction Evaluation (TRE), this Order may be reopened to include a chronic toxicity limitation, a new acute toxicity limitation, and/or a limitation for a specific toxicant identified in the TRE. Additionally, if the State Water Board revises the SIP's toxicity control provisions that would require the establishment of numeric chronic toxicity effluent limitations, this Order may be reopened to include a numeric chronic toxicity effluent limitation based on the new provisions.

2. Special Studies, Technical Reports and Additional Monitoring Requirements

- a. **Chronic Whole Effluent Toxicity.** For compliance with the Basin Plan's narrative toxicity objective, this Order requires the Discharger to conduct chronic whole effluent toxicity testing, as specified in the Monitoring and Reporting Program (Attachment E, Section V.). Furthermore, this Provision requires the Discharger to investigate the causes of, and identify corrective actions to reduce or eliminate effluent toxicity. If the discharge exceeds the toxicity numeric monitoring trigger established in this Provision, the Discharger is required to initiate a Toxicity Reduction Evaluation (TRE), in accordance with an approved TRE Work Plan, and take actions to mitigate the impact of the discharge and prevent reoccurrence of toxicity. A TRE is a site-specific study conducted in a stepwise process to identify the source(s) of toxicity and the effective control measures for effluent toxicity. TREs are designed to identify the causative agents and sources of whole effluent toxicity, evaluate the effectiveness of the toxicity control options, and confirm the reduction in effluent toxicity. This Provision includes requirements for the Discharger to develop and submit a TRE Work Plan and includes procedures for accelerated chronic toxicity monitoring and TRE initiation.
- i. **Toxicity Reduction Evaluation (TRE) Work Plan. Within 90 days of the effective date of this Order,** the Discharger shall submit to the Regional Water Board a TRE Work Plan for approval by the Executive Officer. The TRE Work Plan shall outline the procedures for identifying the source(s) of, and reducing or eliminating effluent toxicity. The TRE Work Plan must be developed in accordance with EPA guidance¹ and be of adequate detail to allow the Discharger to immediately initiate a TRE as required in this Provision.

¹ See Attachment F (Fact Sheet) Section VII.B.2.a. for a list of EPA guidance documents that must be considered in development of the TRE Workplan.

- ii. **Accelerated Monitoring and TRE Initiation.** When the numeric toxicity monitoring trigger is exceeded during regular chronic toxicity monitoring, and the testing meets all test acceptability criteria, the Discharger shall initiate accelerated monitoring as required in the Accelerated Monitoring Specifications. WET testing results exceeding the monitoring trigger during accelerated monitoring demonstrates a pattern of toxicity and requires the Discharger to initiate a TRE to address the effluent toxicity.
- iii. **Numeric Monitoring Trigger.** The numeric toxicity monitoring trigger is $> 1 \text{ TUc}$ (where $\text{TUc} = 100/\text{NOEC}$). The monitoring trigger is not an effluent limitation; it is the toxicity threshold at which the Discharger is required to begin accelerated monitoring and initiate a TRE.
- iv. **Accelerated Monitoring Specifications.** If the monitoring trigger is exceeded during regular chronic toxicity testing, within 14-days of notification by the laboratory of the test results, the Discharger shall initiate accelerated monitoring. Accelerated monitoring shall consist of four (4) chronic toxicity tests in a six-week period (i.e. one test every two weeks) using the species that exhibited toxicity. The following protocol shall be used for accelerated monitoring and TRE initiation:
 - a) If the results of four (4) consecutive accelerated monitoring tests do not exceed the monitoring trigger, the Discharger may cease accelerated monitoring and resume regular chronic toxicity monitoring. However, notwithstanding the accelerated monitoring results, if there is adequate evidence of a pattern of effluent toxicity, the Executive Officer may require that the Discharger initiate a TRE.
 - b) If the source(s) of the toxicity is easily identified (i.e. temporary plant upset), the Discharger shall make necessary corrections to the facility and shall continue accelerated monitoring until four (4) consecutive accelerated tests do not exceed the monitoring trigger. Upon confirmation that the effluent toxicity has been removed, the Discharger may cease accelerated monitoring and resume regular chronic toxicity monitoring.

If the result of any accelerated toxicity test exceeds the monitoring trigger, the Discharger shall cease accelerated monitoring and initiate a TRE to investigate the cause(s) of, and identify corrective actions to reduce or eliminate effluent toxicity. Within thirty (30) days of notification by the laboratory of the test results exceeding the monitoring trigger during accelerated monitoring, the Discharger shall initiate the TRE .
- b. **Log Yard Flushing Study.** The Discharger shall develop a plan for conducting a Log Yard Flushing study, to be approved by the Regional Water Board. The Plan shall be submitted to the Regional Water Board prior to the 2008/2009 wet season. The intent of the study is to determine the minimum volume of flush or amount of rainfall that is required to ensure residual pollutants (e.g., tannins & lignins, EC, COD, and turbidity) on the log yard have been sufficiently removed

prior to initiating discharge at storm water discharge point 002 and off site. All runoff from the log yard must be contained until constituents of concern reach acceptable concentrations. Results of the study must be submitted to the Regional Water Board prior to the 2009/2010 wet season.

- c. **Groundwater Monitoring.** To determine compliance with Groundwater Limitations, the groundwater monitoring network shall include one or more background monitoring wells and a sufficient number of designated monitoring wells downgradient of the treatment, storage, and disposal units that may release waste constituents to groundwater. All monitoring wells shall comply with the appropriate standards as described in California Well Standards Bulletin 74-90 (June 1991) and Water Well Standards: State of California Bulletin 74-81 (December 1981), and any more stringent standards adopted by the Discharger or County pursuant to CWC section 13801.

The Discharger shall characterize natural background quality of monitored constituents in a technical report, to be submitted by **March 1, 2009**. For each groundwater monitoring parameter/constituent identified in the Monitoring and Reporting Program (Attachment E, Section VIII.B.), the report shall present a summary of monitoring data, calculation of the concentration in background monitoring wells, and a comparison of background groundwater quality to that in wells used to monitor the facility. Determination of background quality shall be made using the methods described in Title 27 California Code of Regulations Section 20415(e)(10), and shall be based on data from at least four consecutive quarterly (or more frequent) groundwater monitoring events. For each monitoring parameter/constituent, the report shall compare measured concentrations for compliance monitoring wells with the calculated background concentration.

If the monitoring shows that any constituent concentrations are increased above background water quality, the Discharger shall submit a technical report by **November 1, 2009** describing the groundwater technical report results and critiquing each evaluated component of the Facility with respect to BPTC and minimizing the discharge's impact on groundwater quality. In no case shall the discharge be allowed to exceed the Groundwater Limitations. This Order may be reopened and additional groundwater limitations added.

- d. **Salinity Evaluation and Minimization Plan.** The Discharger shall prepare a salinity evaluation and minimization plan to address sources of salinity from the Facility. The plan shall be completed and submitted to the Regional Water Board within 2 years of the effective date of this Order for the approval by the Executive Officer.

Table 8. Salinity Evaluation and Minimization Plan

Task	Compliance Date
1 - Submit Work plan and Time Schedule	Within 6 months of the effective date of the Order
2 - Begin Study	Within 3 months of Regional Board approval of Workplan and Time Schedule
3 - Complete Study	As established by Task 1
4 - Submit Summary Report	60 days following completion of Task 3 (no greater than 2 years after the effective date of this Order)

- e. **Best Practicable Treatment or Control (BPTC) Evaluation Tasks.** The Discharger has already submitted a BPTC evaluation in July 2004 as required by Resolution 68-16. This task requires the Discharger to evaluate the existing BPTC report and provide an updated BPTC report based on the evaluation.

The Discharger shall comply with the following compliance schedule in implementing the work required by this Provision:

Table 9. BPTC Evaluation

Task	Compliance Date
1 -Submit technical report: work plan and schedule for comprehensive evaluation of existing BPTC report	Within 6 months of the effective date of Order
2 -Commence comprehensive evaluation	Within 3 months of Regional Board approval of Technical Report
3 -Complete comprehensive evaluation	As established by Task 1
4 -Submit BPTC technical report: based on comprehensive evaluation results	60 days following completion of Task 3 (no greater than 2 years after the effective date of this Order).
5 -Submit annual report describing the overall status of BPTC implementation and compliance with groundwater limitations over the past reporting year	To be submitted in accordance with the MRP

3. Best Management Practices and Pollution Prevention

- a. **Pollution Prevention Plan for Copper and Lead.** The Discharger shall prepare and implement a pollution prevention plan for copper and lead in accordance with CWC section 13263.3(d)(3). The minimum requirements for the pollution

prevention plan are outlined in the Fact Sheet, Attachment F, VII.B.3.c. A work plan and time schedule for preparation of the pollution prevention plan shall be completed and submitted **within 6 months of the effective date of this Order** for approval by the Executive Officer. The Pollution Prevention Plan shall be completed and submitted to the Regional Water Board **within two (2) years following work plan approval by the Executive Officer**, and progress reports shall be submitted in accordance with the Monitoring and Reporting Program (Attachment E, Section X.D.1.).

4. Construction, Operation and Maintenance Specifications

a. Treatment Pond Operating Requirements.

- i. The treatment facilities shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.
- ii. Public contact with wastewater shall be precluded through such means as fences, signs, and other acceptable alternatives.
- iii. Ponds shall be managed to prevent breeding of mosquitoes. In particular,
 - a) An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface.
 - b) Weeds shall be minimized.
 - c) Dead algae, vegetation, and debris shall not accumulate on the water surface.
- iv. Freeboard shall never be less than two feet from October 1 through April 1 and never less than one foot for the remainder of the year (measured vertically to the lowest point of overflow).

5. Special Provisions for Municipal Facilities (POTWs Only) – Not Applicable

6. Other Special Provisions

- a. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the Regional Water Board.

To assume operation under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the State of incorporation if a corporation, address and telephone number of the persons responsible for contact with the Regional Water Board and a statement. The

statement shall comply with the signatory and certification requirements in the Federal Standard Provisions (Attachment D, Section V.B.) and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the California Water Code. Transfer shall be approved or disapproved in writing by the Executive Officer.

b. Sludge, Wood Waste, and/or Ash Management.

1. Collected screenings, sludge, and other solids removed from liquid wastes shall be disposed of in a manner approved by the Executive Officer and consistent with *Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste*, as set forth in Title 27, California Code of Regulations (CCR), Division 2, Subdivision 1, Section 20005, et seq.
2. Any proposed change in sludge or ash use or disposal practice shall be reported to the Executive Officer at least 30 days in advance of the change.
3. Fly ash removed from the facility shall be:
 - a. Beneficially reused, such as for soil amendment; or
 - b. Disposed in a dedicated unit consistent with Title 27, Section 20200(b); or
 - c. Disposed in a Class III landfill consistent with Title 27, Section 20220(d).

Any other use shall require approval by the Executive Officer.

7. Compliance Schedules

a. **Compliance Schedules for Final Effluent Limitations for Copper and Lead**

- i. **On or before May 18, 2010**, the Discharger shall comply with the final effluent limitations for copper and lead. As this compliance schedule is greater than one year, the Discharger shall submit semi-annual progress reports in accordance with the Monitoring and Reporting Program (Attachment E, Section X.D.1.)
- ii. **Corrective Action Plan/Implementation Schedule.** The Discharger shall submit to the Regional Water Board a corrective action plan and implementation schedule to assure compliance with the final effluent limitations for copper and lead by 18 May 2010.

- iii. **Pollution Prevention Plan.** The Discharger shall prepare and implement a pollution prevention plan for copper and lead, in accordance with CWC section 13263.3(d)(3). The minimum requirements for the pollution prevention plan are outlined in the Fact Sheet, Attachment F, VII.B.3.c. A work plan and time schedule for preparation of the pollution prevention plan shall be completed and submitted to the Regional Water Board **within 6 months of the effective date of this Order** for approval by the Executive Officer. The Pollution Prevention Plan shall be completed and submitted to the Regional Water Board **within two (2) years following work plan approval by the Executive Officer**, and progress reports shall be submitted in accordance with the Monitoring and Reporting Program (Attachment E, Section X.D.1.).
- iv. **Treatment Feasibility Study.** The Discharger is required to perform an engineering treatment feasibility study examining the feasibility, costs and benefits of different treatment options that may be required to remove copper and lead from the discharge. A work plan and time schedule for preparation of the treatment feasibility study shall be completed and submitted to the Regional Water Board **within 6 months of the effective date of this Order** for approval by the Executive Officer. The treatment feasibility study shall be completed and submitted to the Regional Water Board **within two (2) years following work plan approval by the Executive Officer**, and progress reports shall be submitted in accordance with the Monitoring and Reporting Program (Attachment E, Section X.D.1.).
- b. **Compliance Schedules for Best Practicable Treatment or Control (BPTC).** The Discharger shall prepare an evaluation of the existing Best Practicable Treatment or Control (BPTC) study to determine BPTC of its discharge to Mill Creek, to meet the requirements of State Water Board Resolution 68-16. A work plan and time schedule for preparation of the BPTC evaluation study shall be completed and submitted to the Regional Water Board **within 6 months of the effective date of this Order** for approval by the Executive Officer. The BPTC evaluation study shall be completed and submitted to the Regional Water Board **within two (2) years following the effective date of this Order**, and progress reports shall be submitted in accordance with the Monitoring and Reporting Program (Attachment E, Section X.D.1.).
- c. **Compliance Schedule for Salinity Evaluation and Minimization Plan.** The Discharger shall prepare a salinity evaluation and minimization plan to address sources of salinity from the Facility. The plan shall be completed and submitted to the Regional Water Board **within 2 years of the effective date of this Order** for the approval by the Executive Officer.

VII. COMPLIANCE DETERMINATION

1. COMPLIANCE DETERMINATION LOGIC

The receiving water limitations contained in this Order require that the regulated storm water discharges not cause the receiving water to exceed applicable water quality criteria or objectives. If background receiving water quality already exceeds applicable criteria or objectives, the regulated storm water discharges may not cause the receiving water quality to worsen. This Order does not, however, require the Discharger to improve the receiving water quality. It is recognized that a regulated storm water discharge is most appropriately compared to background water quality, not an absolute water quality criterion or objective. Therefore, compliance is determined by comparing the concentration of a particular pollutant at the upstream receiving water monitoring location, the downstream monitoring location, and in the regulated discharge. If the concentration of the downstream sample is greater than the receiving water limit, and the concentration of the downstream sample is greater than the concentration of the upstream sample, and the concentration of the effluent sample is greater than the concentration of the upstream sample, then the regulated effluent discharge is in violation.

2. COMPLIANCE WITH A SECONDARY MCL

This Order contains receiving water limitations for the following pollutants, based on the indicated standards:

Pollutant	Water Quality Standard
copper	Basin Plan max, CTR acute, CTR chronic
iron	MCL (secondary)
lead	CTR acute, CTR chronic

Some of the standards are the secondary MCLs. Discussions with the California Department of Public Health, Drinking Water Field Operations Division (formerly the Department of Health Services) have indicated that it is appropriate to apply the secondary MCLs for iron as an annual average. Therefore, compliance with the receiving water limitations for iron is determined by comparison of annual average concentrations against the secondary MCL numeric value.

3. COMPLIANCE WITH CHRONIC CRITERIA AND OBJECTIVES

The monitoring frequencies required by the monitoring and reporting program contained in this Order consider the feasibility, expense, and need for information. It is recognized that the required monitoring frequencies for the pollutants listed above will not provide enough data for a direct determination of whether or not a chronic water quality criterion or objective (generally 4-day averages) is being attained. Basin Plan maximum concentrations and CTR acute (generally 1-hour averages) concentrations can be directly compared against grab samples of the effluent and receiving water. Nonetheless, chronic water quality criteria and objectives are applicable, must be met, and are implemented by this Order. The Regional Water Board may conduct monitoring

to determine if chronic water quality criteria and objectives are being met in the receiving water, but this Order does not require the Discharger to conduct such monitoring. The intermittent nature of storm water discharges makes violations of chronic criteria and objectives unlikely.

ATTACHMENT A – DEFINITIONS

Arithmetic Mean (μ), also called the average, is the sum of measured values divided by the number of samples. For ambient water concentrations, the arithmetic mean is calculated as follows:

Arithmetic mean = $\mu = \Sigma x / n$ where: Σx is the sum of the measured ambient water concentrations, and n is the number of samples.

Average Daily Discharge Flow Effluent Limitations. The Average Daily Discharge Flow represents the daily average flow when groundwater is at or near normal and runoff is not occurring. Compliance with the Average Daily Discharge Flow effluent limitations will be measured at times when groundwater is at or near normal and runoff is not occurring.

Average Monthly Effluent Limitation (AMEL): the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Effluent Limitation (AWEL): the highest allowable average of daily discharges over a calendar week (Sunday through Saturday), calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Best Practicable Treatment or Control (BPTC): BPTC is a requirement of State Water Resources Control Board Resolution 68-16 – “Statement of Policy with Respect to Maintaining High Quality of Waters in California” (referred to as the “Antidegradation Policy”). BPTC is the treatment or control of a discharge necessary to assure that, *“(a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.”* Pollution is defined in CWC Section 13050(I). In general, an exceedance of a water quality objective in the Basin Plan constitutes “pollution”.

Bioaccumulative pollutants are those substances taken up by an organism from its surrounding medium through gill membranes, epithelial tissue, or from food and subsequently concentrated and retained in the body of the organism.

Carcinogenic pollutants are substances that are known to cause cancer in living organisms.

Coefficient of Variation (CV) is a measure of the data variability and is calculated as the estimated standard deviation divided by the arithmetic mean of the observed values.

Daily Discharge: Daily Discharge is defined as either: (1) the total mass of the constituent discharged over the calendar day (12:00 am through 11:59 pm) or any 24-hour period that reasonably represents a calendar day for purposes of sampling (as specified in the permit), for a constituent with limitations expressed in units of mass or; (2) the unweighted arithmetic mean

measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of one day (a calendar day or other 24-hour period defined as a day) or by the arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

For composite sampling, if 1 day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period will be considered as the result for the calendar day in which the 24-hour period ends.

Detected, but Not Quantified (DNQ) are those sample results less than the RL, but greater than or equal to the laboratory's MDL.

Dilution Credit is the amount of dilution granted to a discharge in the calculation of a water quality-based effluent limitation, based on the allowance of a specified mixing zone. It is calculated from the dilution ratio or determined through conducting a mixing zone study or modeling of the discharge and receiving water.

Effluent Concentration Allowance (ECA) is a value derived from the water quality criterion/objective, dilution credit, and ambient background concentration that is used, in conjunction with the coefficient of variation for the effluent monitoring data, to calculate a long-term average (LTA) discharge concentration. The ECA has the same meaning as waste load allocation (WLA) as used in U.S. EPA guidance (Technical Support Document For Water Quality-based Toxics Control, March 1991, second printing, EPA/505/2-90-001).

Enclosed Bays means indentations along the coast that enclose an area of oceanic water within distinct headlands or harbor works. Enclosed bays include all bays where the narrowest distance between the headlands or outermost harbor works is less than 75 percent of the greatest dimension of the enclosed portion of the bay. Enclosed bays include, but are not limited to, Humboldt Bay, Bodega Harbor, Tomales Bay, Drake's Estero, San Francisco Bay, Morro Bay, Los Angeles-Long Beach Harbor, Upper and Lower Newport Bay, Mission Bay, and San Diego Bay. Enclosed bays do not include inland surface waters or ocean waters.

Estimated Chemical Concentration is the estimated chemical concentration that results from the confirmed detection of the substance by the analytical method below the ML value.

Estuaries means waters, including coastal lagoons, located at the mouths of streams that serve as areas of mixing for fresh and ocean waters. Coastal lagoons and mouths of streams that are temporarily separated from the ocean by sandbars shall be considered estuaries. Estuarine waters shall be considered to extend from a bay or the open ocean to a point upstream where there is no significant mixing of fresh water and seawater. Estuarine waters included, but are not limited to, the Sacramento-San Joaquin Delta, as defined in Water Code section 12220, Suisun Bay, Carquinez Strait downstream to the Carquinez Bridge, and appropriate areas of the Smith, Mad, Eel, Noyo, Russian, Klamath, San Diego, and Otay rivers. Estuaries do not include inland surface waters or ocean waters.

Inland Surface Waters are all surface waters of the State that do not include the ocean, enclosed bays, or estuaries.

Instantaneous Maximum Effluent Limitation: the highest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous maximum limitation).

Instantaneous Minimum Effluent Limitation: the lowest allowable value for any single grab sample or aliquot (i.e., each grab sample or aliquot is independently compared to the instantaneous minimum limitation).

Maximum Daily Effluent Limitation (MDEL) means the highest allowable daily discharge of a pollutant, over a calendar day (or 24-hour period). For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the arithmetic mean measurement of the pollutant over the day.

Median is the middle measurement in a set of data. The median of a set of data is found by first arranging the measurements in order of magnitude (either increasing or decreasing order). If the number of measurements (n) is odd, then the median = $X_{(n+1)/2}$. If n is even, then the median = $(X_{n/2} + X_{(n/2)+1})/2$ (i.e., the midpoint between the $n/2$ and $n/2+1$).

Method Detection Limit (MDL) is the minimum concentration of a substance that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero, as defined in title 40 of the Code of Federal Regulations, Part 136, Attachment B, revised as of July 3, 1999.

Minimum Level (ML) is the concentration at which the entire analytical system must give a recognizable signal and acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method specified sample weights, volumes, and processing steps have been followed.

Mixing Zone is a limited volume of receiving water that is allocated for mixing with a wastewater discharge where water quality criteria can be exceeded without causing adverse effects to the overall water body.

Not Detected (ND) are those sample results less than the laboratory's MDL.

Ocean Waters are the territorial marine waters of the State as defined by California law to the extent these waters are outside of enclosed bays, estuaries, and coastal lagoons. Discharges to ocean waters are regulated in accordance with the State Water Board's California Ocean Plan.

Persistent pollutants are substances for which degradation or decomposition in the environment is nonexistent or very slow.

Pollutant Minimization Program (PMP) means waste minimization and pollution prevention actions that include, but are not limited to, product substitution, waste stream recycling, alternative waste management methods, and education of the public and businesses. The goal of the PMP shall be to reduce all potential sources of a priority pollutant(s) through pollutant minimization (control) strategies, including pollution prevention measures as appropriate, to maintain the effluent concentration at or below the water quality-based effluent limitation. Pollution prevention measures may be particularly appropriate for persistent bioaccumulative priority pollutants where there is evidence that beneficial uses are being impacted. The Regional Water Board may consider cost effectiveness when establishing the requirements of a PMP. The completion and implementation of a Pollution Prevention Plan, if required pursuant to Water Code section 13263.3(d), shall be considered to fulfill the PMP requirements.

Pollution Prevention means any action that causes a net reduction in the use or generation of a hazardous substance or other pollutant that is discharged into water and includes, but is not limited to, input change, operational improvement, production process change, and product reformulation (as defined in Water Code section 13263.3). Pollution prevention does not include actions that merely shift a pollutant in wastewater from one environmental medium to another environmental medium, unless clear environmental benefits of such an approach are identified to the satisfaction of the State or Regional Water Board.

Reporting Level (RL) is the ML (and its associated analytical method) chosen by the Discharger for reporting and compliance determination from the MLs included in this Order. The MLs included in this Order correspond to approved analytical methods for reporting a sample result that are selected by the Regional Water Board either from Appendix 4 of the SIP in accordance with section 2.4.2 of the SIP or established in accordance with section 2.4.3 of the SIP. The ML is based on the proper application of method-based analytical procedures for sample preparation and the absence of any matrix interferences. Other factors may be applied to the ML depending on the specific sample preparation steps employed. For example, the treatment typically applied in cases where there are matrix-effects is to dilute the sample or sample aliquot by a factor of ten. In such cases, this additional factor must be applied to the ML in the computation of the RL.

Satellite Collection System is the portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility that a sanitary sewer system is tributary to.

Source of Drinking Water is any water designated as municipal or domestic supply (MUN) in a Regional Water Board Basin Plan.

Standard Deviation (σ) is a measure of variability that is calculated as follows:

$$\sigma = \left(\frac{\sum[(x - \mu)^2]}{(n - 1)} \right)^{0.5}$$

where:

x is the observed value;

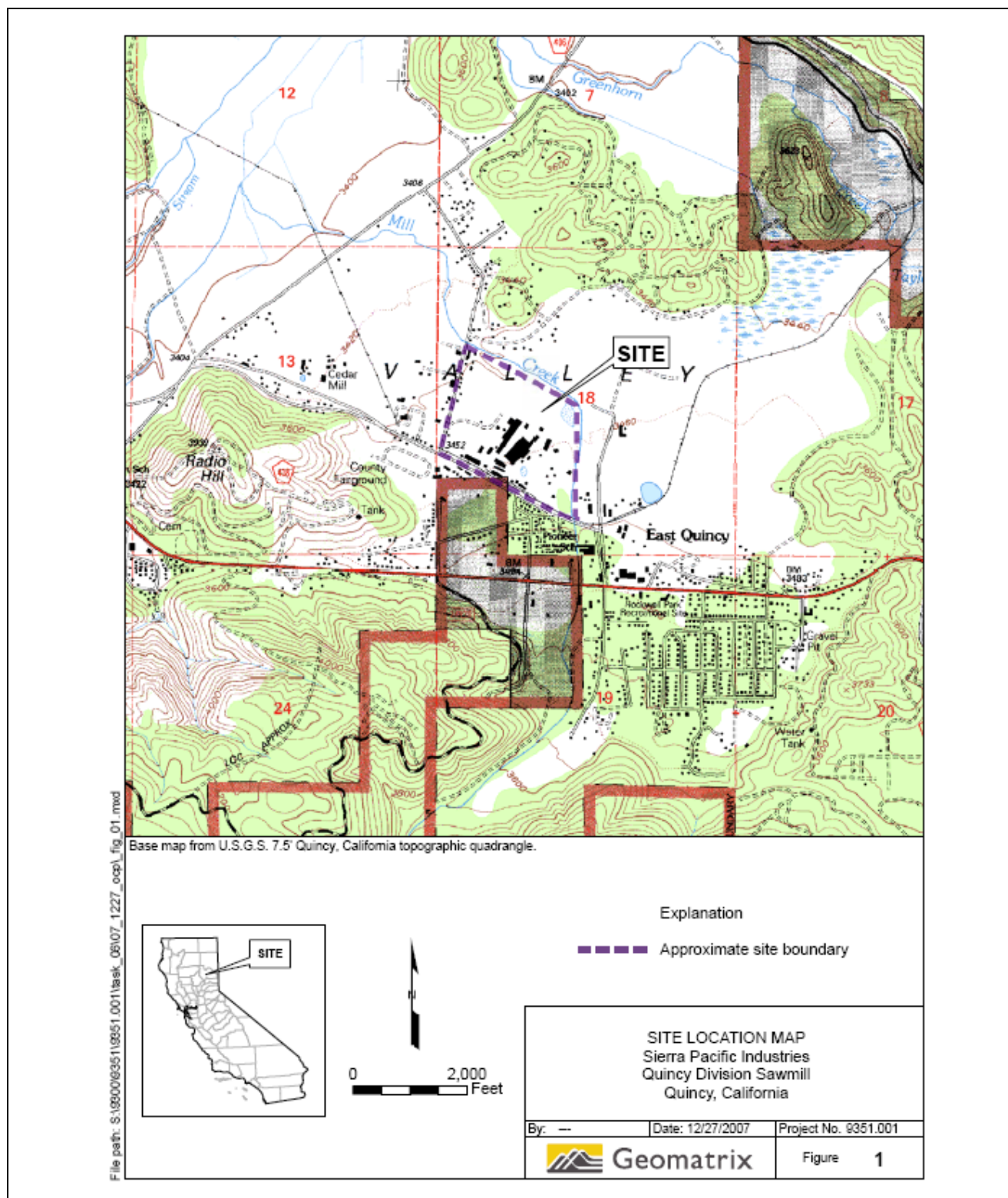
μ is the arithmetic mean of the observed values; and

n is the number of samples.

Toxicity Reduction Evaluation (TRE) is a study conducted in a step-wise process designed to identify the causative agents of effluent or ambient toxicity, isolate the sources of toxicity, evaluate the effectiveness of toxicity control options, and then confirm the reduction in toxicity.

The first steps of the TRE consist of the collection of data relevant to the toxicity, including additional toxicity testing, and an evaluation of facility operations and maintenance practices, and best management practices. A Toxicity Identification Evaluation (TIE) may be required as part of the TRE, if appropriate. (A TIE is a set of procedures to identify the specific chemical(s) responsible for toxicity. These procedures are performed in three phases (characterization, identification, and confirmation) using aquatic organism toxicity tests.)

ATTACHMENT B – MAP



EXPLANATION

- STORM WATER DRAIN
- — — — — DRAINAGE DITCH
- — — — — CULVERT
- STORM WATER FLOW
- ↘ DRAINAGE DITCH FLOW

0 300 Feet

Sources:
 August 3, 1998 USGS Aerial Photo from:
 terraserver.micrsoft.com and Drawing 2 from BPTC Evaluation
 Report prepared by Lawrence & Associates, dated August 30, 2004.

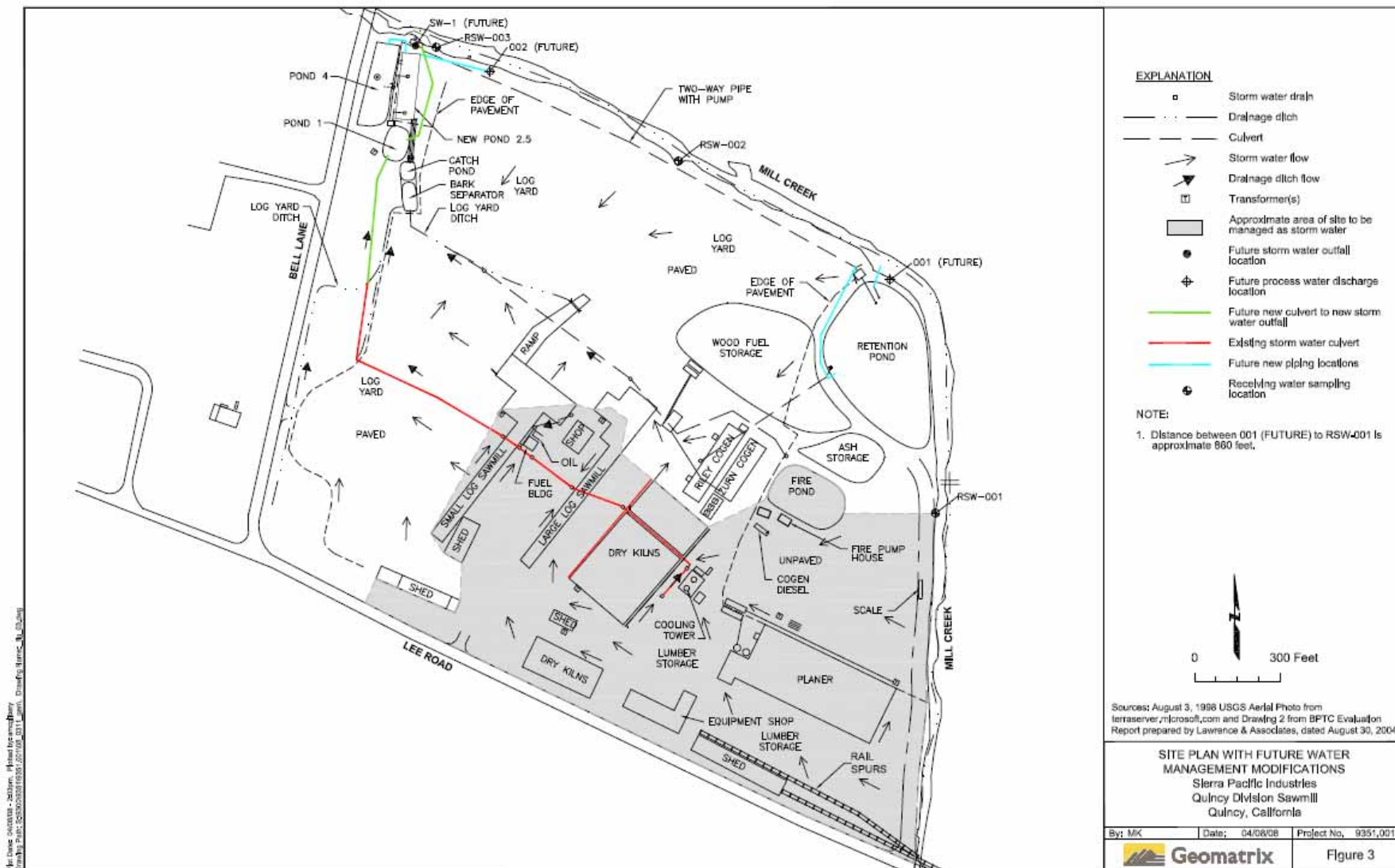
CURRENT SITE PLAN
 Sierra Pacific Industries
 Quincy Division Sawmill
 Quincy, California

By: MK Date: 03/11/09 Project No. 9351.001

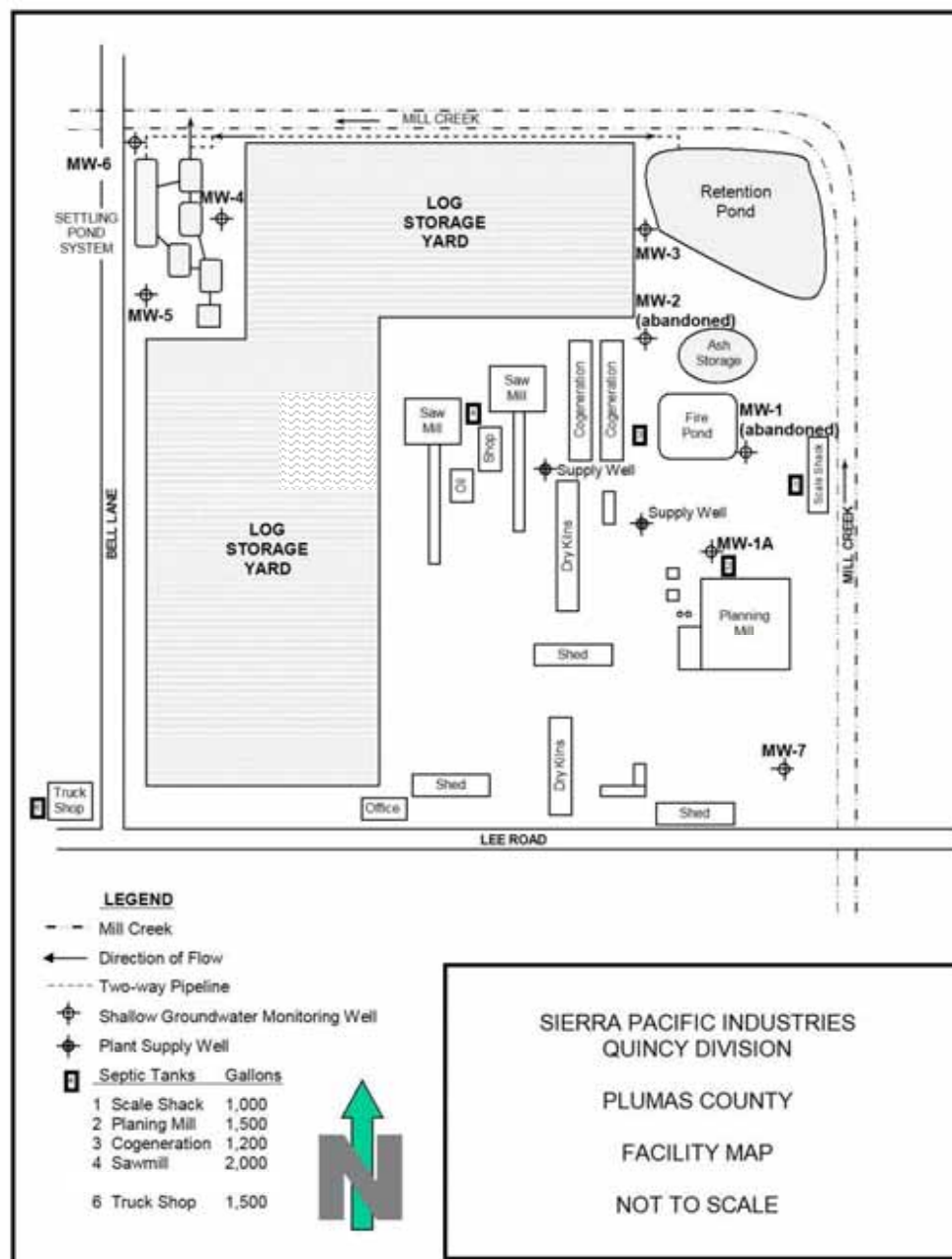
Geomatrix

Figure 2

ATTACHMENT C-2 –SITE PLAN WITH FUTURE WATER MANAGEMENT



ATTACHMENT C-3 – GROUNDWATER MONITORING WELLS



ATTACHMENT D –STANDARD PROVISIONS

I. STANDARD PROVISIONS – PERMIT COMPLIANCE

A. Duty to Comply

1. The Discharger must comply with all of the conditions of this Order. Any noncompliance constitutes a violation of the Clean Water Act (CWA) and the California Water Code and is grounds for enforcement action, for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. (40 C.F.R. § 122.41(a).)
2. The Discharger shall comply with effluent standards or prohibitions established under Section 307(a) of the CWA for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the CWA within the time provided in the regulations that establish these standards or prohibitions, even if this Order has not yet been modified to incorporate the requirement. (40 C.F.R. § 122.41(a)(1).)

B. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a Discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Order. (40 C.F.R. § 122.41(c).)

C. Duty to Mitigate

The Discharger shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Order that has a reasonable likelihood of adversely affecting human health or the environment. (40 C.F.R. § 122.41(d).)

D. Proper Operation and Maintenance

The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems that are installed by a Discharger only when necessary to achieve compliance with the conditions of this Order. (40 C.F.R. § 122.41(e).)

E. Property Rights

1. This Order does not convey any property rights of any sort or any exclusive privileges. (40 C.F.R. § 122.41(g).)

2. The issuance of this Order does not authorize any injury to persons or property or invasion of other private rights, or any infringement of state or local law or regulations. (40 C.F.R. § 122.5(c).)

F. Inspection and Entry

The Discharger shall allow the Regional Water Board, State Water Board, United States Environmental Protection Agency (USEPA), and/or their authorized representatives (including an authorized contractor acting as their representative), upon the presentation of credentials and other documents, as may be required by law, to (40 C.F.R. § 122.41(i); Wat. Code, § 13383):

1. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order (40 C.F.R. § 122.41(i)(1));
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order (40 C.F.R. § 122.41(i)(2));
3. Inspect and photograph, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order (40 C.F.R. § 122.41(i)(3)); and
4. Sample or monitor, at reasonable times, for the purposes of assuring Order compliance or as otherwise authorized by the CWA or the Water Code, any substances or parameters at any location. (40 C.F.R. § 122.41(i)(4).)

G. Bypass

1. Definitions
 - a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. (40 C.F.R. § 122.41(m)(1)(i).)
 - b. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities, which causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. (40 C.F.R. § 122.41(m)(1)(ii).)
2. Bypass not exceeding limitations. The Discharger may allow any bypass to occur which does not cause exceedances of effluent limitations, but only if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions listed in Standard Provisions – Permit Compliance I.G.3, I.G.4, and I.G.5 below. (40 C.F.R. § 122.41(m)(2).)

3. Prohibition of bypass. Bypass is prohibited, and the Regional Water Board may take enforcement action against a Discharger for bypass, unless (40 C.F.R. § 122.41(m)(4)(i)):
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage (40 C.F.R. § 122.41(m)(4)(i)(A));
 - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance (40 C.F.R. § 122.41(m)(4)(i)(B)); and
 - c. The Discharger submitted notice to the Regional Water Board as required under Standard Provisions – Permit Compliance I.G.5 below. (40 C.F.R. § 122.41(m)(4)(i)(C).)
4. The Regional Water Board may approve an anticipated bypass, after considering its adverse effects, if the Regional Water Board determines that it will meet the three conditions listed in Standard Provisions – Permit Compliance I.G.3 above. (40 C.F.R. § 122.41(m)(4)(ii).)
5. Notice
 - a. Anticipated bypass. If the Discharger knows in advance of the need for a bypass, it shall submit a notice, if possible at least 10 days before the date of the bypass. (40 C.F.R. § 122.41(m)(3)(i).)
 - b. Unanticipated bypass. The Discharger shall submit notice of an unanticipated bypass as required in Standard Provisions - Reporting V.E below (24-hour notice). (40 C.F.R. § 122.41(m)(3)(ii).)

H. Upset

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the Discharger. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. (40 C.F.R. § 122.41(n)(1).)

1. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Standard Provisions – Permit Compliance I.H.2 below are met. No determination made during administrative review of claims that noncompliance was

caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review. (40 C.F.R. § 122.41(n)(2).).

2. Conditions necessary for a demonstration of upset. A Discharger who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that (40 C.F.R. § 122.41(n)(3)):
 - a. An upset occurred and that the Discharger can identify the cause(s) of the upset (40 C.F.R. § 122.41(n)(3)(i));
 - b. The permitted facility was, at the time, being properly operated (40 C.F.R. § 122.41(n)(3)(ii));
 - c. The Discharger submitted notice of the upset as required in Standard Provisions – Reporting V.E.2.b below (24-hour notice) (40 C.F.R. § 122.41(n)(3)(iii)); and
 - d. The Discharger complied with any remedial measures required under Standard Provisions – Permit Compliance I.C above. (40 C.F.R. § 122.41(n)(3)(iv).)
3. Burden of proof. In any enforcement proceeding, the Discharger seeking to establish the occurrence of an upset has the burden of proof. (40 C.F.R. § 122.41(n)(4).)

II. STANDARD PROVISIONS – PERMIT ACTION

A. General

This Order may be modified, revoked and reissued, or terminated for cause. The filing of a request by the Discharger for modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any Order condition. (40 C.F.R. § 122.41(f).)

B. Duty to Reapply

If the Discharger wishes to continue an activity regulated by this Order after the expiration date of this Order, the Discharger must apply for and obtain a new permit. (40 C.F.R. § 122.41(b).)

C. Transfers

This Order is not transferable to any person except after notice to the Regional Water Board. The Regional Water Board may require modification or revocation and reissuance of the Order to change the name of the Discharger and incorporate such other requirements as may be necessary under the CWA and the Water Code. (40 C.F.R. § 122.41(l)(3); § 122.61.)

III. STANDARD PROVISIONS – MONITORING

- A.** Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. (40 C.F.R. § 122.41(j)(1).)
- B.** Monitoring results must be conducted according to test procedures under Part 136 or, in the case of sludge use or disposal, approved under Part 136 unless otherwise specified in Part 503 unless other test procedures have been specified in this Order. (40 C.F.R. § 122.41(j)(4); § 122.44(i)(1)(iv).)

IV. STANDARD PROVISIONS – RECORDS

- A.** Except for records of monitoring information required by this Order related to the Discharger's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by Part 503), the Discharger shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Order, and records of all data used to complete the application for this Order, for a period of at least three (3) years from the date of the sample, measurement, report or application. This period may be extended by request of the Regional Water Board Executive Officer at any time. (40 C.F.R. § 122.41(j)(2).)

B. Records of monitoring information shall include:

- 1. The date, exact place, and time of sampling or measurements (40 C.F.R. § 122.41(j)(3)(i));
- 2. The individual(s) who performed the sampling or measurements (40 C.F.R. § 122.41(j)(3)(ii));
- 3. The date(s) analyses were performed (40 C.F.R. § 122.41(j)(3)(iii));
- 4. The individual(s) who performed the analyses (40 C.F.R. § 122.41(j)(3)(iv));
- 5. The analytical techniques or methods used (40 C.F.R. § 122.41(j)(3)(v)); and
- 6. The results of such analyses. (40 C.F.R. § 122.41(j)(3)(vi).)

C. Claims of confidentiality for the following information will be denied (40 C.F.R. § 122.7(b)):

- 1. The name and address of any permit applicant or Discharger (40 C.F.R. § 122.7(b)(1)); and
- 2. Permit applications and attachments, permits and effluent data. (40 C.F.R. § 122.7(b)(2).)

V. STANDARD PROVISIONS – REPORTING

A. Duty to Provide Information

The Discharger shall furnish to the Regional Water Board, State Water Board, or USEPA within a reasonable time, any information which the Regional Water Board, State Water Board, or USEPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order or to determine compliance with this Order. Upon request, the Discharger shall also furnish to the Regional Water Board, State Water Board, or USEPA copies of records required to be kept by this Order. (40 C.F.R. § 122.41(h); Wat. Code, § 13267.)

B. Signatory and Certification Requirements

1. All applications, reports, or information submitted to the Regional Water Board, State Water Board, and/or USEPA shall be signed and certified in accordance with Standard Provisions – Reporting V.B.2, V.B.3, V.B.4, and V.B.5 below. (40 C.F.R. § 122.41(k).)
2. All permit applications shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. (40 C.F.R. § 122.22(a)(1).)
3. All reports required by this Order and other information requested by the Regional Water Board, State Water Board, or USEPA shall be signed by a person described in Standard Provisions – Reporting V.B.2 above, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described in Standard Provisions – Reporting V.B.2 above (40 C.F.R. § 122.22(b)(1));
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of

equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.) (40 C.F.R. § 122.22(b)(2)); and

- c. The written authorization is submitted to the Regional Water Board and State Water Board. (40 C.F.R. § 122.22(b)(3).)
4. If an authorization under Standard Provisions – Reporting V.B.3 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Standard Provisions – Reporting V.B.3 above must be submitted to the Regional Water Board and State Water Board prior to or together with any reports, information, or applications, to be signed by an authorized representative. (40 C.F.R. § 122.22(c).)
5. Any person signing a document under Standard Provisions – Reporting V.B.2 or V.B.3 above shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.” (40 C.F.R. § 122.22(d).)

C. Monitoring Reports

1. Monitoring results shall be reported at the intervals specified in the Monitoring and Reporting Program (Attachment E) in this Order. (40 C.F.R. § 122.22(l)(4).)
2. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form or forms provided or specified by the Regional Water Board or State Water Board for reporting results of monitoring of sludge use or disposal practices. (40 C.F.R. § 122.41(l)(4)(i).)
3. If the Discharger monitors any pollutant more frequently than required by this Order using test procedures approved under Part 136 or, in the case of sludge use or disposal, approved under Part 136 unless otherwise specified in Part 503, or as specified in this Order, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the Regional Water Board. (40 C.F.R. § 122.41(l)(4)(ii).)
4. Calculations for all limitations, which require averaging of measurements, shall utilize an arithmetic mean unless otherwise specified in this Order. (40 C.F.R. § 122.41(l)(4)(iii).)

D. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this Order, shall be submitted no later than 14 days following each schedule date. (40 C.F.R. § 122.41(l)(5).)

E. Twenty-Four Hour Reporting

1. The Discharger shall report any noncompliance that may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written submission shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. (40 C.F.R. § 122.41(l)(6)(i).)
2. The following shall be included as information that must be reported within 24 hours under this paragraph (40 C.F.R. § 122.41(l)(6)(ii)):
 - a. Any unanticipated bypass that exceeds any effluent limitation in this Order. (40 C.F.R. § 122.41(l)(6)(ii)(A).)
 - b. Any upset that exceeds any effluent limitation in this Order. (40 C.F.R. § 122.41(l)(6)(ii)(B).)
3. The Regional Water Board may waive the above-required written report under this provision on a case-by-case basis if an oral report has been received within 24 hours. (40 C.F.R. § 122.41(l)(6)(iii).)

F. Planned Changes

The Discharger shall give notice to the Regional Water Board as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required under this provision only when (40 C.F.R. § 122.41(l)(1)):

1. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in section 122.29(b) (40 C.F.R. § 122.41(l)(1)(i)); or
2. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are not subject to effluent limitations in this Order. (40 C.F.R. § 122.41(l)(1)(ii).)

3. The alteration or addition results in a significant change in the Discharger's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan. (40 C.F.R. § 122.41(l)(1)(iii).)

G. Anticipated Noncompliance

The Discharger shall give advance notice to the Regional Water Board or State Water Board of any planned changes in the permitted facility or activity that may result in noncompliance with General Order requirements. (40 C.F.R. § 122.41(l)(2).)

H. Other Noncompliance

The Discharger shall report all instances of noncompliance not reported under Standard Provisions – Reporting V.C, V.D, and V.E above at the time monitoring reports are submitted. The reports shall contain the information listed in Standard Provision – Reporting V.E above. (40 C.F.R. § 122.41(l)(7).)

I. Other Information

When the Discharger becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Regional Water Board, State Water Board, or USEPA, the Discharger shall promptly submit such facts or information. (40 C.F.R. § 122.41(l)(8).)

VI. STANDARD PROVISIONS – ENFORCEMENT

- A. The Regional Water Board is authorized to enforce the terms of this permit under several provisions of the Water Code, including, but not limited to, sections 13385, 13386, and 13387.

VII. ADDITIONAL PROVISIONS – NOTIFICATION LEVELS

A. Non-Municipal Facilities

Existing manufacturing, commercial, mining, and silvicultural Dischargers shall notify the Regional Water Board as soon as they know or have reason to believe (40 C.F.R. § 122.42(a)):

1. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" (40 C.F.R. § 122.42(a)(1)):
 - a. 100 micrograms per liter (µg/L) (40 C.F.R. § 122.42(a)(1)(i));

- b. 200 µg/L for acrolein and acrylonitrile; 500 µg/L for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol; and 1 milligram per liter (mg/L) for antimony (40 C.F.R. § 122.42(a)(1)(ii));
 - c. Five (5) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 C.F.R. § 122.42(a)(1)(iii)); or
 - d. The level established by the Regional Water Board in accordance with section 122.44(f). (40 C.F.R. § 122.42(a)(1)(iv).)
2. That any activity has occurred or will occur that would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant that is not limited in this Order, if that discharge will exceed the highest of the following "notification levels" (40 C.F.R. § 122.42(a)(2)):
- a. 500 micrograms per liter (µg/L) (40 C.F.R. § 122.42(a)(2)(i));
 - b. 1 milligram per liter (mg/L) for antimony (40 C.F.R. § 122.42(a)(2)(ii));
 - c. Ten (10) times the maximum concentration value reported for that pollutant in the Report of Waste Discharge (40 C.F.R. § 122.42(a)(2)(iii)); or
 - d. The level established by the Regional Water Board in accordance with section 122.44(f). (40 C.F.R. § 122.42(a)(2)(iv).)

ATTACHMENT E – MONITORING AND REPORTING PROGRAM

Table of Contents

Attachment E – Monitoring and Reporting Program (MRP).....	E-2
I. General Monitoring Provisions.....	E-2
II. Monitoring Locations	E-3
III. Influent Monitoring Requirements – Not Applicable.....	E-3
IV. Effluent Monitoring Requirements	E-3
A. Monitoring Location 001.....	E-3
V. Whole Effluent Toxicity Testing Requirements	E-6
VI. Land Discharge Monitoring Requirements – NOT APPLICABLE	E-9
VII. Reclamation Monitoring Requirements – NOT APPLICABLE	E-9
VIII. Receiving Water Monitoring Requirements – Surface Water and Groundwater	E-9
A. Monitoring Location RSW-001 RSW-002, and RSW-003	E-9
B. Monitoring Location MW-1A, MW-3, MW-4, MW-5, MW-6, and, MW-7	E-11
IX. Other Monitoring Requirements	E-11
A. Settling Pond Monitoring.....	E-11
B. Precipitation Monitoring.....	E-12
C. Ash and Cooling Tower Solids Monitoring	E-12
E. Aboveground Petroleum Storage Monitoring	E-13
X. Reporting Requirements.....	E-14
A. General Monitoring and Reporting Requirements.....	E-14
B. Self Monitoring Reports (SMRs)	E-16
C. Discharge Monitoring Reports (DMRs) – Not Applicable	E-17
D. Other Reports	E-17

List of Tables

Table E-1. Monitoring Station Locations	E-3
Table E-2. Effluent Monitoring at discharge point 001	E-4
Table E-3. Monitoring at discharge point 002	E-5
Table E-4. Chronic Toxicity Testing Dilution Series.....	E-7
Table E-5a. Receiving Water Monitoring Requirements	E-10
Table E-5b. Ground Water Monitoring Requirements.....	E-11
Table E-6. Log Yard Settling Ponds	E-12
Table E-7. Precipitation	E-12
Table E-8. Ash Monitoring	E-13
Table E-9. Industrial Water Supply Monitoring Requirements	E-14
Table E-10. Cogeneration Plant Monitoring Requirements.....	E-14
Table E-11. Monitoring Periods and Reporting Schedule	E-17
Table E-12. Reporting Requirements for Special Provisions Progress Reports	E-18

ATTACHMENT E – MONITORING AND REPORTING PROGRAM (MRP)

The Code of Federal Regulations section 122.48 requires that all NPDES permits specify monitoring and reporting requirements. Water Code Sections 13267 and 13383 also authorize the Regional Water Quality Control Board (Regional Water Board) to require technical and monitoring reports. This MRP establishes monitoring and reporting requirements, which implement the federal and state regulations.

I. GENERAL MONITORING PROVISIONS

- A. Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring locations specified below and, unless otherwise specified, before the monitored flow joins or is diluted by any other waste stream, body of water, or substance. Monitoring locations shall not be changed without notification to and the approval of this Regional Water Board.
- B. Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. In the event a certified laboratory is not available to the Discharger, analyses performed by a noncertified laboratory will be accepted provided a Quality Assurance-Quality Control Program is instituted by the laboratory. A manual containing the steps followed in this program must be kept in the laboratory and shall be available for inspection by Regional Water Board staff. The Quality Assurance-Quality Control Program must conform to USEPA guidelines or to procedures approved by the Regional Water Board.
- C. All analyses shall be performed in a laboratory certified to perform such analyses by the California Department of Health Services. Laboratories that perform sample analyses shall be identified in all monitoring reports.
- D. Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. All monitoring instruments and devices used by the Discharger to fulfill the prescribed monitoring program shall be properly maintained and calibrated as necessary to ensure their continued accuracy. All flow measurement devices shall be calibrated at least once per year to ensure continued accuracy of the devices.
- E. Monitoring results, including noncompliance, shall be reported at intervals and in a manner specified in this Monitoring and Reporting Program.

II. MONITORING LOCATIONS

The Discharger shall establish the following monitoring locations to demonstrate compliance with the effluent limitations, discharge specifications, and other requirements in this Order:

Table E-1. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description (include Latitude and Longitude when available)
001	001	39°, 56', 34.80" N, 120°, 54', 24.38" W (current), future
002	002	39°, 56', 42.89" N, 120°, 54', 43.55" W
SW-001	SW-001	39°, 56', 43.69" N, 120°, 54', 45.92" W
	RSW-001	Mill Creek, 860 feet upstream of Discharge 001
	RSW-002	Mill Creek, 600 feet downstream of Discharge 001
	RSW-003	Mill Creek, 100 feet downstream of Discharge 002
Settling Ponds	PND-2.5	Pond 2.5
	PND-4	Pond 4
Groundwater Monitoring Well	MW-1A	MW-1A
	MW-3	MW-3
	MW-4	MW-4
	MW-5	MW-5
	MW-6	MW-6
	MW-7	MW-7
Industrial Water Supply Well	SPL-001	Industrial water supply well prior to Cogeneration Plant
Cogeneration Plant Effluent	COGEN-001	Cogeneration Plant sump

III. INFLUENT MONITORING REQUIREMENTS – NOT APPLICABLE

IV. EFFLUENT MONITORING REQUIREMENTS

A. Monitoring Location 001

The Discharger shall monitor 001 as follows during periods of discharge to Mill Creek. If more than one analytical test method is listed for a given parameter, the Discharger must select from the listed methods and corresponding Minimum Level:

Table E-2. Effluent Monitoring at discharge point 001

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method and (Minimum Level, units), respectively
Flow	g/min	Continuous	Weekly	4
pH	units	Grab	Weekly	4
Settleable Solids	mL/L	Grab	Weekly	4
Turbidity	NTU	Grab	Weekly ⁶	4
COD	mg/L	Grab	Monthly	4
Electrical Conductivity	umhos/cm	Grab	Weekly	4
Tannins & Lignins	mg/L	Grab	Monthly	4
Total Suspended Solids	mg/L	Grab	Monthly	4
Total Copper	ug/L	Grab	Monthly	4
Total Iron	ug/L	Grab	Monthly	4
Total Lead	ug/L	Grab	Monthly	4
Hardness	mg/L	Grab	Semi-Annually	4
Oil & Grease	mg/L	Grab	Semi-Annually	4
Bis(2-ethylhexyl)phthalate	ug/L	Grab	Semi-Annually	4
Acute Toxicity	% Survival	Grab	Semi-Annually ⁵	4
Chronic Toxicity	% Survival	Grab	Annually	4
Priority Pollutant Metals ¹	ug/L	Grab	Annually	4
Priority Pollutant ^{2, 3}	ug/L	Grab	Bi-annually	4

1. Detection limits shall be at or below the lowest minimum level (ML) published in Appendix 4 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Plan or SIP).
2. Priority Pollutants – one set during 1st 2-years of the permit, and one set during the 2nd 2-years of the permit.
3. 126 Priority Pollutants except asbestos and dioxins/furans; includes pH and hardness
4. Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136. For priority pollutant constituents with effluent limitations, detection limits shall be below the effluent limitations. If the lowest minimum level (ML) published in Appendix 4 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Plan or SIP) is not below the effluent limitation, the detection limit shall be the lowest ML. For priority pollutant constituents without effluent limitations, the detection limits shall be equal to or less than the lowest ML published in Appendix 4 of the SIP. Where no methods are specified for a given pollutant, by methods approved by this Regional Water Board or the State Water Board.
5. After two years of monitoring, should no toxicity be measured, frequency may be reduced to annually with approval of Executive Officer.
6. Turbidity shall be determined by individual samples collected once per week during discharge, by samples taken over an appropriate averaging period. A minimum of four samples per day from upstream and downstream for a period of up to 4 days during discharge. Samples collected for averaging must be spaced at least 3-hours apart.

B. Monitoring Location 002

The Discharger shall monitor 002 as follows during periods of discharge to Mill Creek. If more than one analytical test method is listed for a given parameter, the Discharger must select from the listed methods and corresponding Minimum Level:

Table E-3. Monitoring at discharge point 002

Parameter	Units	Sample Type	Minimum Sampling Frequency ¹	Required Analytical Test Method
Flow	cfs	Continuous	Weekly During Discharge	5
pH	s.u	Grab	Weekly During Discharge	5
Electrical Conductivity @ 25°C	µmhos/cm	Grab	Weekly During Discharge	5
Turbidity	NTU	Grab	Weekly During Discharge	5
Dissolved Copper	ug/L	Grab	Monthly During Discharge	5
Dissolved Iron	ug/L	Grab	Monthly During Discharge	5
Dissolved Lead	ug/L	Grab	Monthly During Discharge	5
Hardness	mg/L	Grab	Semi-Annually During Discharge	5
Dissolved Priority Pollutant Metals ²	ug/L	Grab	Annually During Discharge	5
Priority Pollutant ^{3, 4}	ug/L	Grab	Twice during life of permit	5

1. Samples shall be collected during the first hour from the first discharge after the dry season during daytime business hours and according to sampling frequency thereafter. When possible, receiving water sampling shall coincide with effluent monitoring.
2. Detection limits shall be at or below the lowest minimum level (ML) published in Appendix 4 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Plan or SIP).
3. Priority Pollutants – one set during 1st 2-years of the permit, and one set during the 2nd 2-years of the permit.
4. 126 Priority Pollutants except asbestos and dioxins/furans.
5. Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136. For priority pollutant constituents with effluent limitations, detection limits shall be below the effluent limitations. If the lowest minimum level (ML) published in Appendix 4 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Plan or SIP) is not below the effluent limitation, the detection limit shall be the lowest ML. For priority pollutant constituents without effluent limitations, the detection limits shall be equal to or less than the lowest ML published in Appendix 4 of the SIP. Where no methods are specified for a given pollutant, by methods approved by this Regional Water Board or the State Water Board.

V. WHOLE EFFLUENT TOXICITY TESTING REQUIREMENTS

- A. **Acute Toxicity Testing.** The Discharger shall conduct acute toxicity testing to determine whether the effluent is contributing acute toxicity to the receiving water. The Discharger shall meet the following acute toxicity testing requirements:
1. Monitoring Frequency – the Discharger shall perform semi-annual acute toxicity testing. After two years of monitoring, should no toxicity be measured, frequency may be reduced to annually with approval of Executive Officer.
 2. Sample Types – For static non-renewal and static renewal testing, the samples shall be grab samples and shall be representative of the volume and quality of the discharge. The effluent samples shall be taken at the effluent monitoring location 001.
 3. Test Species – Test species shall be rainbow trout (*O. mykiss*).
 4. Methods – The acute toxicity testing samples shall be analyzed using EPA-821-R-02-012, Fifth Edition. Temperature, and pH shall be recorded at the time of sample collection. No pH adjustment may be made unless approved by the Executive Officer.
 5. Test Failure – If an acute toxicity test does not meet all test acceptability criteria, as specified in the test method, the Discharger must re-sample and re-test as soon as possible, not to exceed 7 days following notification of test failure.
- B. **Chronic Toxicity Testing.** The Discharger shall conduct three species chronic toxicity testing to determine whether the effluent is contributing chronic toxicity to the receiving water. The Discharger shall meet the following chronic toxicity testing requirements:
1. Monitoring Frequency – the Discharger shall perform annual three species chronic toxicity testing.
 2. Sample Types – Effluent samples shall be flow proportional 24-hour composites and shall be representative of the volume and quality of the discharge. The effluent samples shall be taken at the effluent monitoring location specified in the Monitoring and Reporting Program. The receiving water control shall be a grab sample obtained from the RSW-001 sampling location, as identified in the Monitoring and Reporting Program.
 3. Sample Volumes – Adequate sample volumes shall be collected to provide renewal water to complete the test in the event that the discharge is intermittent.
 4. Test Species – Chronic toxicity testing measures sublethal (e.g. reduced growth, reproduction) and/or lethal effects to test organisms exposed to an effluent compared to that of the control organisms. The Discharger shall conduct chronic toxicity tests with:
 - The cladoceran, water flea, *Ceriodaphnia dubia* (survival and reproduction test);

- The fathead minnow, *Pimephales promelas* (larval survival and growth test); and
 - The green alga, *Selenastrum capricornutum* (growth test).
5. Methods – The presence of chronic toxicity shall be estimated as specified in *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition*, EPA/821-R-02-013, October 2002.
 6. Reference Toxicant – As required by the SIP, all chronic toxicity tests shall be conducted with concurrent testing with a reference toxicant, which shall be reported with the chronic toxicity test results.
 7. Dilutions – The chronic toxicity testing shall be performed using the dilution series identified in Table E-4, below. The receiving water control shall be used as the diluent (unless the receiving water is toxic).
 8. Test Failure – The Discharger must re-sample and re-test as soon as possible, but no later than fourteen (14) days after receiving notification of a test failure. A test failure is defined as follows:
 - a. The reference toxicant test or the effluent test does not meet all test acceptability criteria as specified in the *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition*, EPA/821-R-02-013, October 2002 (Method Manual), and its subsequent amendments or revisions; or
 - b. The percent minimum significant difference (PMSD) measured for the test exceeds the upper PMSD bound variability criterion in Table 6 on page 52 of the Method Manual. (A retest is only required in this case if the test results do not exceed the monitoring trigger specified in Special Provisions VI. 2.a.iii.)

Table E-4. Chronic Toxicity Testing Dilution Series

Sample	Dilutions (%)					Controls	
	100	75	50	25	12.5	Receiving Water	Laboratory Water
% Effluent	100	75	50	25	12.5	0	0
% Receiving Water	0	25	50	75	87.5	100	0
% Laboratory Water	0	0	0	0	0	0	100

- C. **WET Testing Notification Requirements.** The Discharger shall notify the Regional Water Board within 24-hrs after the receipt of test results exceeding the monitoring trigger during regular or accelerated monitoring, or an exceedance of the acute toxicity effluent limitation.
- D. **WET Testing Reporting Requirements.** All toxicity test reports shall include the contracting laboratory's complete report provided to the Discharger and shall be in accordance with the appropriate "Report Preparation and Test Review" sections of the method manuals. At a minimum, whole effluent toxicity monitoring shall be reported as follows:
1. **Chronic WET Reporting.** Regular chronic toxicity monitoring results shall be reported to the Regional Water Board within 30 days following completion of the test, and shall contain, at minimum:
 - a. The results expressed in TUC, measured as 100/NOEC, and also measured as 100/LC₅₀, 100/EC₂₅, 100/IC₂₅, and 100/IC₅₀, as appropriate.
 - b. The statistical methods used to calculate endpoints;
 - c. The statistical output page, which includes the calculation of the percent minimum significant difference (PMSD);
 - d. The dates of sample collection and initiation of each toxicity test; and
 - e. The results compared to the numeric toxicity monitoring trigger.

Additionally, the monthly discharger self-monitoring reports shall contain an updated chronology of chronic toxicity test results expressed in TUC, and organized by test species, type of test (survival, growth or reproduction), and monitoring frequency, i.e., either quarterly, monthly, accelerated, or TRE.
 2. **Acute WET Reporting.** Acute toxicity test results shall be submitted with the monthly discharger self-monitoring reports and reported as percent survival.
 3. **TRE Reporting.** Reports for Toxicity Reduction Evaluations shall be submitted in accordance with the schedule contained in the Discharger's approved TRE Work Plan.
 4. **Quality Assurance (QA).** The Discharger must provide the following information for QA purposes (If applicable):
 - a. Results of the applicable reference toxicant data with the statistical output page giving the species, NOEC, LOEC, type of toxicant, dilution water used, concentrations used, PMSD, and dates tested.
 - b. The reference toxicant control charts for each endpoint, which include summaries of reference toxicant tests performed by the contracting laboratory.
 - c. Any information on deviations or problems encountered and how they were dealt with.

VI. LAND DISCHARGE MONITORING REQUIREMENTS – NOT APPLICABLE

VII. RECLAMATION MONITORING REQUIREMENTS – NOT APPLICABLE

VIII. RECEIVING WATER MONITORING REQUIREMENTS – SURFACE WATER AND GROUNDWATER

A. Monitoring Location RSW-001 RSW-002, and RSW-003

1. The Discharger shall monitor Mill Creek at RSW-001, RSW-002, and RSW-003 as follows:

Table E-5a. Receiving Water Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency ¹	Required Analytical Test Method
Flow	cfs	Continuous	Weekly During Discharge	⁵
pH	s.u	Grab	Weekly During Discharge	⁵
Electrical Conductivity @ 25°C	µmhos/cm	Grab	Weekly During Discharge	⁵
Turbidity ⁷	NTU	Grab	Weekly During Discharge	⁵
Dissolved Copper	ug/L	Grab	Monthly During Discharge	⁵
Dissolved Iron	ug/L	Grab	Monthly During Discharge / Quarterly During No Discharge ⁶	⁵
Dissolved Lead	ug/L	Grab	Monthly During Discharge	⁵
Hardness	mg/L	Grab	Semi-Annually During Discharge	⁵
Dissolved Priority Pollutant Metals ²	ug/L	Grab	Annually During Discharge	⁵
Priority Pollutant ^{3, 4}	ug/L	Grab	Twice during life of permit	⁵

1. Samples shall be collected during the first hour from the first discharge after the dry season during daytime business hours and according to sampling frequency thereafter. When possible, receiving water sampling shall coincide with effluent monitoring
2. Detection limits shall be at or below the lowest minimum level (ML) published in Appendix 4 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Plan or SIP).
3. Priority Pollutants – one set during 1st 2-years of the permit, and one set during the 2nd 2-years of the permit.
4. 126 Priority Pollutants except asbestos and dioxins/furans.
5. Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136. For priority pollutant constituents with effluent limitations, detection limits shall be below the effluent limitations. If the lowest minimum level (ML) published in Appendix 4 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Plan or SIP) is not below the effluent limitation, the detection limit shall be the lowest ML. For priority pollutant constituents without effluent limitations, the detection limits shall be equal to or less than the lowest ML published in Appendix 4 of the SIP. Where no methods are specified for a given pollutant, by methods approved by this Regional Water Board or the State Water Board.
6. Samples shall be taken only at the RSW-001, RSW-002, or RSW-003 locations when water is present at those locations.
7. Turbidity shall be determined by either individual samples or by samples taken over an averaging period. For averaging periods, a minimum of four samples per day will be collected from each upstream and each downstream station for a period of up to 4 days during discharge. Samples collected for averaging must be spaced at least 3 hours apart.

B. Monitoring Location MW-1A, MW-3, MW-4, MW-5, MW-6, and, MW-7

1. The Discharger shall monitor groundwater at monitoring wells MW-1A, MW-3, MW-4, MW-5, MW-6, and, MW-7 as follows:

Table E-5b. Ground Water Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Depth to Water Table	ft below top of casing	Measurement	Quarterly ¹	5
Water Table Elevation	ft above msl	Measurement	Quarterly ¹	5
pH	Units	Grab	Quarterly ¹	5
Temperature	° F	Grab	Quarterly ¹	5
Electrical conductivity	umhos/cm	Grab	Quarterly ¹	5
Total Dissolved Solids	mg/L	Grab	Quarterly ¹	5
Tannins & Lignins	mg/L	Grab	Quarterly ¹ /Annually ²	5
Priority Pollutant Metals ³	mg/L	Grab	Quarterly ¹ /Annually ²	5
Manganese	mg/L	Grab	Quarterly ¹ /Annually ²	5
General Minerals ⁴	mg/L	Grab	Annually for two years	5

^{1,2} Groundwater samples from groundwater monitoring wells shall be analyzed quarterly for one year. After one full year of monitoring, if concentrations of any constituent are consistently below California and/or Federal Maximum Contaminant Levels, California Public Health Goals, and/or background levels at specific wells, the frequency may be reduced at specific wells to annually. Should the concentration of any constituent be measured above these levels at any later time, sampling shall be performed quarterly. No change in monitoring frequency shall be made without written approval from the Executive Officer.

³ Includes antimony, arsenic, beryllium, cadmium, chromium III, chromium VI, copper, cyanide, lead, mercury, nickel, selenium, silver, thallium, zinc

⁴ Includes bicarbonate, carbonate, calcium, chloride, magnesium, nitrate, potassium, silica, sodium, and sulfate.

⁵ Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136. For priority pollutant constituents with effluent limitations, detection limits shall be below the effluent limitations. If the lowest minimum level (ML) published in Appendix 4 of the Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California (State Implementation Plan or SIP) is not below the effluent limitation, the detection limit shall be the lowest ML. For priority pollutant constituents without effluent limitations, the detection limits shall be equal to or less than the lowest ML published in Appendix 4 of the SIP. Where no methods are specified for a given pollutant, by methods approved by this Regional Water Board or the State Water Board.

IX. OTHER MONITORING REQUIREMENTS

A. Settling Pond Monitoring

The Discharger shall monitor at PND-2.5 and PND-4 respectively:

Table E-6. Log Yard Settling Ponds

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Freeboard	Feet, inches	Observation	Weekly	
Settled Matter Depth	Feet, inches	Visual	Annually prior to rainy season	

B. Precipitation Monitoring

Precipitation information shall be collected as follows and submitted monthly:

Table E-7. Precipitation

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Precipitation	Inches	Gauge	Daily	

C. Ash and Cooling Tower Solids Monitoring

The Discharger shall record the following information monthly:

- Volume of ash generated (recorded individually)
- Volume of material stored at facility
- Volume of material removed from facility
- Disposal location or soil amendment application area

Should ash be used as a soil amendment, the following shall be described monthly for each application area:

- Area of land where ash is applied (acres)
- Volume of ash applied (cubic yards)

If ash is used as a soil amendment, a representative composite sample of the ash shall be tested annually for total and dissolved constituents. Dissolved constituents shall be obtained using the Waste Extraction Test (WET) described in the CCR, Title 22, Division 4, Chapter 30, with deionized water for the extraction solvent. The deionized water extract shall be analyzed for the following. By 1 February of each year, the analytical results and the above information shall be summarized and submitted in a report.

Table E-8. Ash Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Moisture Content	% moisture	Composite	Annually	³
pH	s.u.	Composite	Annually	³
General Minerals ¹	mg/kg; mg/L	Composite	Annually	³
Priority Pollutant Metals ²	mg/kg; ug/L	Composite	Annually	³
Aluminum	mg/kg; ug/L	Composite	Annually	³
Barium	mg/kg; ug/L	Composite	Annually	³
Boron	mg/kg; ug/L	Composite	Annually	³
Cobalt	mg/kg; ug/L	Composite	Annually	³
Iron	mg/kg; ug/L	Composite	Annually	³
Manganese	mg/kg; ug/L	Composite	Annually	³
Molybdenum	mg/kg; ug/L	Composite	Annually	³
Vanadium	mg/kg; ug/L	Composite	Annually	³
2,3,7,8-TCDD and congeners	pg/g; pg/L	Composite	Once during first year of the permit	³

¹ Includes bicarbonate, carbonate, calcium, chloride, magnesium, nitrate, potassium, silica, sodium, and sulfate.

² Consists of the following: antimony, arsenic, beryllium, cadmium, chromium III, chromium VI, copper, cyanide, lead, mercury, nickel, selenium, silver, thallium, zinc

³ Pollutants shall be analyzed using the analytical methods described in 40 CFR Part 136. Where no methods are specified for a given pollutant, ash will be analyzed by methods approved by this Regional Water Board or the State Water Board.

E. Aboveground Petroleum Storage Monitoring

The Discharger shall visually inspect the aboveground petroleum storage tanks, as required by the facility's Spill Prevention Control and Countermeasure Plan. In the event of a petroleum release of greater than 42 gallons that meets the reporting requirements of the facility's Spill Prevention Control and Countermeasure Plan, a report shall be submitted describing the corrective action that was taken to remediate and dispose of the contaminated area. The results shall be submitted with the monthly monitoring report.

F. Industrial Water Supply Monitoring

The Discharger shall monitor the Industrial Water Supply at SPL-001 as follows. A sampling station shall be established where a representative sample of the industrial water supply can be obtained, prior to use in the Cogeneration Plant. Industrial water supply samples shall be collected at approximately the same time as effluent samples.

Table E-9. Industrial Water Supply Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Total Iron	ug/L	Grab	Quarterly	

G. Cogeneration Plant Monitoring

The Discharger shall monitor the effluent from the Cogeneration Plant at Industrial Water Supply at COGEN-001 as follows. A sampling station shall be established where a representative sample of the effluent of the cogeneration plant prior to the discharge into the retention pond. The cogeneration plant samples shall be collected at approximately the same time as effluent samples.

Table E-10. Cogeneration Plant Monitoring Requirements

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Total Iron	ug/L	Grab	Quarterly	

X. REPORTING REQUIREMENTS

A. General Monitoring and Reporting Requirements

1. The Discharger shall comply with all Standard Provisions (Attachment D) related to monitoring, reporting, and recordkeeping.
2. Upon written request of the Regional Water Board, the Discharger shall submit a summary monitoring report. The report shall contain both tabular and graphical summaries of the monitoring data obtained during the previous year(s).
3. **Compliance Time Schedules.** For compliance time schedules included in the Order, the Discharger shall submit to the Regional Water Board, on or before each compliance due date, the specified document or a written report detailing compliance or noncompliance with the specific date and task. If noncompliance is reported, the Discharger shall state the reasons for noncompliance and include an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Regional Water Board by letter when it returns to compliance with the compliance time schedule.
4. The Discharger shall report to the Regional Water Board any toxic chemical release data it reports to the State Emergency Response Commission within 15 days of reporting the data to the Commission pursuant to section 313 of the "Emergency Planning and Community Right to Know Act of 1986.
5. **Reporting Protocols.** The Discharger shall report with each sample result the applicable Reporting Level (RL) and the current Method Detection Limit (MDL), as determined by the procedure in 40 CFR Part 136.

The Discharger shall report the results of analytical determinations for the presence of chemical constituents in a sample using the following reporting protocols:

- a. Sample results greater than or equal to the RL shall be reported as measured by the laboratory (i.e., the measured chemical concentration in the sample).
- b. Sample results less than the RL, but greater than or equal to the laboratory's MDL, shall be reported as "Detected, but Not Quantified," or DNQ. The estimated chemical concentration of the sample shall also be reported.

For the purposes of data collection, the laboratory shall write the estimated chemical concentration next to DNQ as well as the words "Estimated Concentration" (may be shortened to "Est. Conc."). The laboratory may, if such information is available, include numerical estimates of the data quality for the reported result. Numerical estimates of data quality may be percent accuracy (\pm a percentage of the reported value), numerical ranges (low to high), or any other means considered appropriate by the laboratory.

- c. Sample results less than the laboratory's MDL shall be reported as "Not Detected," or ND.
- d. Dischargers are to instruct laboratories to establish calibration standards so that the ML value (or its equivalent if there is differential treatment of samples relative to calibration standards) is the lowest calibration standard. At no time is the Discharger to use analytical data derived from *extrapolation* beyond the lowest point of the calibration curve.

6. Multiple Sample Data. When determining compliance with an AMEL, AWEL, or MDEL for priority pollutants and more than one sample result is available, the Discharger shall compute the arithmetic mean unless the data set contains one or more reported determinations of "Detected, but Not Quantified" (DNQ) or "Not Detected" (ND). In those cases, the Discharger shall compute the median in place of the arithmetic mean in accordance with the following procedure:

- a. The data set shall be ranked from low to high, ranking the reported ND determinations lowest, DNQ determinations next, followed by quantified values (if any). The order of the individual ND or DNQ determinations is unimportant.
- b. The median value of the data set shall be determined. If the data set has an odd number of data points, then the median is the middle value. If the data set has an even number of data points, then the median is the average of the two values around the middle unless one or both of the points are ND or DNQ, in which case the median value shall be the lower of the two data points where DNQ is lower than a value and ND is lower than DNQ.

B. Self Monitoring Reports (SMRs)

1. At any time during the term of this permit, the State or Regional Water Board may notify the Discharger to electronically submit Self-Monitoring Reports (SMRs) using the State Water Board's California Integrated Water Quality System (CIWQS) Program Web site (<http://www.waterboards.ca.gov/ciwqs/index.html>). Until such notification is given, the Discharger shall submit hard copy SMRs. The CIWQS Web site will provide additional directions for SMR submittal in the event there will be service interruption for electronic submittal.
2. Monitoring results shall be submitted to the Regional Water Board by the **first day** of the second month following sample collection. Quarterly and annual monitoring results shall be submitted by the **first day of the second month following each calendar quarter, semi-annual period, and year**, respectively.
3. In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized in such a manner to illustrate clearly whether the discharge complies with waste discharge requirements. The highest daily maximum for the month, monthly and weekly averages, and medians shall be determined and recorded as needed to demonstrate compliance.
4. With the exception of flow, all constituents monitored on a continuous basis (metered) shall be reported as daily maximums, daily minimums, and daily averages; flow shall be reported as the total volume discharged per day for each day of discharge.
5. If the Discharger monitors any pollutant at the locations designated herein more frequently than is required by this Order, the results of such monitoring shall be included in the calculation and reporting of the values required in the discharge monitoring report form. Such increased frequency shall be indicated on the discharge monitoring report form.
6. A letter transmitting the self-monitoring reports shall accompany each report. Such a letter shall include a discussion of requirement violations found during the reporting period, and actions taken or planned for correcting noted violations, such as operation or facility modifications. If the Discharger has previously submitted a report describing corrective actions and/or a time schedule for implementing the corrective actions, reference to the previous correspondence will be satisfactory. The transmittal letter shall contain the penalty of perjury statement by the Discharger, or the Discharger's authorized agent, as described in the Standard Provisions.

7. SMRs must be submitted to the Regional Water Board, signed and certified as required by the Standard Provisions (Attachment D), to the address listed below:

Regional Water Quality Control Board
Central Valley Region
415 Knollcrest Drive, Suite 100
Redding, CA 96002

8. Monitoring periods and reporting for all required monitoring shall be completed according to the following schedule:

Table E-11. Monitoring Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On...	Monitoring Period	SMR Due Date
Continuous	Permit effective date	All	Submit with monthly SMR
Hourly	Permit effective date	Hourly	Submit with monthly SMR
Daily	Permit effective date	(Midnight through 11:59 PM) or any 24-hour period that reasonably represents a calendar day for purposes of sampling.	Submit with monthly SMR
Weekly	Sunday following permit effective date or on permit effective date if on a Sunday	Sunday through Saturday	Submit with monthly SMR
Monthly	First day of calendar month following permit effective date or on permit effective date if that date is first day of the month	1 st day of calendar month through last day of calendar month	First day of the second month following month of sampling
Quarterly	Closest of January 1, April 1, July 1, or October 1 following (or on) permit effective date	January 1 through March 31 April 1 through June 30 July 1 through September 30 October 1 through December 31	May 1 August 1 November 1 February 1
Semiannually	Closest of January 1 or July 1 following (or on) permit effective date	January 1 through June 30 July 1 through December 31	August 1 February 1
Annually	January 1 following (or on) permit effective date	January 1 through December 31	February 1

C. Discharge Monitoring Reports (DMRs) – Not Applicable

D. Other Reports

1. **Progress Reports.** As specified in the compliance time schedules required in Special Provisions VI, progress reports shall be submitted in accordance with the following reporting requirements. At minimum, the progress reports shall include a discussion of the status of final compliance, whether the Discharger is on schedule

to meet the final compliance date, and the remaining tasks to meet the final compliance date.

Table E-12. Reporting Requirements for Special Provisions Progress Reports

Special Provision	Reporting Requirements
Pollution Prevention Plan for copper and lead (VI.C.3.a)	31 January , update after approval of work plan
Compliance Schedules for Final Effluent Limitations for copper and lead, compliance with final effluent limitations. (VI.C.7.a.i)	31 January , update, until final compliance
Compliance Schedules for Final Effluent Limitations for copper and lead, Pollution Prevention Plan (VI.C.7.a.iii)	31 January , update, after approval of work plan until final compliance
Compliance Schedules for Final Effluent Limitations for copper and lead, Treatment Feasibility Study (VI.C.7.a.iv)	31 January , update, after approval of work plan until final compliance
BPTC Evaluation	31 January , update, after approval of work plan
Salinity Evaluation and Minimization Plan	31 January , update, after approval of work plan

2. Within **60 days** of permit adoption, the Discharger shall submit a report outlining minimum levels, method detection limits, and analytical methods for approval, with a goal to achieve detection levels below applicable water quality criteria. At a minimum, the Discharger shall comply with the monitoring requirements for CTR constituents as outlined in Section 2.3 and 2.4 of the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California*, adopted 2 March 2000 by the State Water Resources Control Board. All peaks identified by analytical methods shall be reported.

ATTACHMENT F – FACT SHEET

Table of Contents

Attachment F – Fact Sheet	F-3
I. Permit Information	F-3
II. Facility Description	F-4
A. Description of Wastewater and Biosolids Treatment or Controls	F-4
B. Discharge Points and Receiving Waters.....	F-7
C. Summary of Existing Requirements and Self-Monitoring Report (SMR) Data	F-7
D. Compliance Summary.....	F-8
E. Planned Changes	F-8
III. Applicable Plans, Policies, and Regulations	F-8
A. Legal Authority	F-8
B. California Environmental Quality Act (CEQA)	F-8
C. State and Federal Regulations, Policies, and Plans	F-9
D. Impaired Water Bodies on CWA 303(d) List – Not Applicable	F-10
E. Other Plans, Policies and Regulations.....	F-11
IV. Rationale For Effluent Limitations and Discharge Specifications.....	F-11
A. Discharge Prohibitions	F-12
B. Technology-Based Effluent Limitations.....	F-13
1. Scope and Authority	F-13
2. Applicable Technology-Based Effluent Limitations	F-14
C. Water Quality-Based Effluent Limitations (WQBELs).....	F-15
1. Scope and Authority	F-15
2. Applicable Beneficial Uses and Water Quality Criteria and Objectives.....	F-15
3. Determining the Need for WQBELs.....	F-16
4. WQBEL Calculations	F-23
5. Whole Effluent Toxicity (WET).....	F-25
D. Final Effluent Limitations.....	F-27
1. Mass-based Effluent Limitations.....	F-27
2. Satisfaction of Anti-Backsliding Requirements.	F-27
3. Satisfaction of Antidegradation Policy	F-27
E. Interim Effluent Limitations.....	F-28
F. Land Discharge Specifications – Not Applicable.....	F-29
G. Reclamation Specifications – Not Applicable.....	F-29
V. Rationale for Receiving Water Limitations	F-29
A. Surface Water	F-30
B. Groundwater	F-34
VI. Rationale for Monitoring and Reporting Requirements	F-35
A. Influent Monitoring – Not Applicable	F-35
B. Effluent Monitoring	F-35
C. Whole Effluent Toxicity Testing Requirements	F-35
D. Receiving Water Monitoring.....	F-35
1. Surface Water.....	F-35
2. Groundwater.....	F-35
E. Other Monitoring Requirements	F-36

1. Storm Water monitoring.....	F-36
VII. Rationale for Provisions.....	F-37
A. Standard Provisions.....	F-37
B. Special Provisions.....	F-37
1. Reopener Provisions	F-37
2. Special Studies and Additional Monitoring Requirements	F-38
3. Best Management Practices and Pollution Prevention	F-43
4. Construction, Operation, and Maintenance Specifications	F-44
5. Special Provisions for Municipal Facilities (POTWs Only) – Not Applicable	F-44
6. Other Special Provisions	F-45
7. Compliance Schedules.....	F-46
VIII. Public Participation	F-46
A. Notification of Interested Parties	F-46
B. Written Comments	F-46
C. Public Hearing	F-46
D. Waste Discharge Requirements Petitions.....	F-47
E. Information and Copying.....	F-47
F. Register of Interested Persons	F-47
G. Additional Information	F-47

List of Tables

Table F-1. Facility Information	F-3
Table F-2. Historic Effluent Limitations and Monitoring Data	F-7
Table F-3. Summary of Technology-based Effluent Limitations	F-14
Table F-4. Salinity Water Quality Criteria/Objectives	F-21
Table F-5. WQBEL Calculations for Copper	F-24
Table F-6. WQBEL Calculations for Lead.....	F-25
Table F-7. Summary of Water Quality-based Effluent Limitations	F-25
Table F-8. Summary of Final Effluent Limitations	F-28
Table F-9. Interim Effluent Limitation Calculation Summary	F-29

ATTACHMENT F – FACT SHEET

As described in section II of this Order, this Fact Sheet includes the legal requirements and technical rationale that serve as the basis for the requirements of this Order.

This Order has been prepared under a standardized format to accommodate a broad range of discharge requirements for Dischargers in California. Only those sections or subsections of this Order that are specifically identified as “not applicable” have been determined not to apply to this Discharger. Sections or subsections of this Order not specifically identified as “not applicable” are fully applicable to this Discharger.

I. PERMIT INFORMATION

The following table summarizes administrative information related to the facility.

Table F-1. Facility Information

WDID	5A321016001
Discharger	Sierra Pacific Industries
Name of Facility	Quincy Division
Facility Address	1538 Lee Road
	Quincy, CA, 95971
	Plumas
Facility Contact, Title and Phone	Gary Solberg, Division Manager, 530-283-2820
Authorized Person to Sign and Submit Reports	Gary Solberg, Division Manager, 530-283-2820
Mailing Address	P.O. Box 750, Quincy, Ca, 95971
Billing Address	1538 Lee Road, Quincy, CA, 95971
Type of Facility	SIC Code 4911 – Electrical Services SIC Code 2421 – Sawmills and Planing Mill
Major or Minor Facility	Minor
Threat to Water Quality	2
Complexity	A
Pretreatment Program	N/A
Reclamation Requirements	N/A
Facility Permitted Flow	N/A
Facility Design Flow	N/A
Watershed	Quincy Hydrologic Subarea (518.52)
Receiving Water	Mill Creek
Receiving Water Type	Inland Surface Water

- A. Sierra Pacific Industries (hereinafter Discharger) is the owner and operator of Quincy Division (hereinafter Facility), a sawmill and wood-burning cogeneration Facility.

For the purposes of this Order, references to the “discharger” or “permittee” in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger herein.

- B.** The Facility discharges wastewater to Mill Creek, a water of the United States, and is currently regulated by Order R5-2002-0132 which was adopted on 19 July 2002 and expired on 19 July 2007. The terms and conditions of the current Order have been automatically continued and remain in effect until new Waste Discharge Requirements and NPDES permit are adopted pursuant to this Order.
- C.** The Discharger filed a report of waste discharge and submitted an application for renewal of its Waste Discharge Requirements (WDRs) and National Pollutant Discharge Elimination System (NPDES) permit on 23 February 2007. Supplemental information was requested on 11 June 2007 and received on 23 August 2007.

II. FACILITY DESCRIPTION

A. Description of Wastewater and Biosolids Treatment or Controls

Sierra Pacific Industries operates a sawmill and wood-burning cogeneration facility in East Quincy in Section 18, T24N, R10E, MDB&M. The sawmill produces approximately 210 million board feet of lumber per year. The cogeneration plant currently produces a gross 27-megawatts (MW) of electric power, and a net 22-MW, which are sold on the market. The sawmill and the power plant are bordered by Mill Creek to the north and east, Lee Road to the south, and Bell Lane to the west. The facility is located on eight adjoining parcels of land totaling approximately 100 acres.

Storm Water and Surface Water

Approximately 75% of the 100-acre facility is paved. Site grading and the storm drainage system direct all storm water runoff to the northwest corner of the facility where log yard settling ponds are located. Storm water runoff is managed by a pond system and eventually discharges to Mill Creek. The pond system is capable of retaining runoff from a 1-inch storm in a 24-hour period.

Generally, there is flow in the segment of Mill Creek that borders the facility from October until early summer. In early summer, Mill Creek is dry as a result of upstream diversions.

Groundwater

Shallow groundwater is approximately 11 to 30 feet below the ground surface (ft bgs). Boring logs indicate that the subsurface consists of clay and gravel with intermittent lenses of shale rock beginning at approximately 40 ft bgs. Shallow groundwater beneath the facility generally flows in the north to northwest direction. Six shallow groundwater monitoring wells were installed at the facility in 1989.

Sawmill Operation

The sawmill operation consists of log scaling, wet and dry log storage, mechanical log debarking, sawmill, planing mill, kilns, lumber storage, aboveground petroleum storage areas, equipment fueling and maintenance, paved and unpaved roadways, and an office. Wood waste from the sawmill is delivered to the cogeneration power plant by conveyor.

Approximately 65 million board feet of logs are stacked in paved yards, which cover 27 acres of the facility. During the dry summer months, the logs are sprinkled with water to prevent the development of blue stain and end checking. Excess log yard runoff drains to a log yard pond system. Log yard runoff contains bark, sawdust, tannins and lignins, dissolved organics, and settleable and suspended solids.

The log yard pond system, which provides treatment through settling, currently consists of a bark separator, four log yard settling ponds (numbered Ponds 1 to 4), and one five-acre retention pond. The settling ponds gravity drain and are valved to allow flexibility in operations. Pumps transfer water between the settling ponds and the retention pond. Planned modifications to the pond system include modifying Pond 1 for use only for general industrial storm water settling, combining ponds 2 and 3 to form Pond 2.5, and adding baffles to new pond 2.5 to promote settling.

Discharge generally does not occur during the summer months (except during rare, extreme thunderstorms), and log yard sprinkling water is recycled during this time. Wet season operation occurs after log yard sprinkling is terminated, usually late October or early November. During the wet season, runoff is discharged to Mill Creek.

To improve the quality of the discharge, in late December 2001 the Discharger started using the retention pond for settling. The Discharger has the option to route runoff from the settling ponds to the retention pond for additional settling. Three aerators in the retention pond are periodically used to add dissolved oxygen and remove chemical oxygen demand. A floating pump skims water from within the first two feet of the retention pond surface. The Discharger does not anticipate pumping the pond below a depth of 12 feet (settled matter increases with depth). Pumped water currently is discharged to Mill Creek through a gravel diffuser.

Settled matter is removed from the settling pond bottoms approximately every three to six months or as needed. Bark and wood debris are reused off-site as landscape mulch or soil amendment.

Power Plant Operations

The power plant operates 24 hours per day. Maintenance, which lasts approximately 3 to 7 days, is scheduled in spring and early winter of each year. Water use at the power plant is summarized below:

- Reverse osmosis. The primary well supplies approximately 110 gpm of water to the power plant. Prior to use in the boiler, feed water is treated using reverse osmosis treatment. Approximately 30 gpm of concentrate (brine) from the reverse osmosis system is discharged to a collection sump that drains to the retention pond.
- Demineralizer. The remaining 80 gpm of treated water is polished with cation/anion exchange resins. Regeneration of these resins is performed on-site approximately every 4 to 5 days. Approximately 4,500 gallons of spent reject water are produced during each regeneration, neutralized with acids or bases, and discharged to the same collection sump that receives reverse osmosis concentrate.
- Boiler. Water that has been treated and polished is stored in a storage tank and then metered into the de-aerator (DA) tank prior to use in the boiler. The boiler generates steam for the 20 MW and 7.5 MW turbine generators. Steam from the 7.5 MW turbine generator is subsequently used in the dry kilns. Condensed steam is recycled back to the DA tank for reuse in the boiler. A low, metered volume of boiler blowdown water, which varies daily, is discharged to the collection sump.
- Cooling Tower. Approximately 25 to 80 gpm of water from the primary well, secondary well, and the cooling system air compressors are supplied to the cooling tower. Approximately 17 gpm of cooling tower blowdown water are discharged to the collection sump and the remainder is evaporated.

Discharge to the collection sump consists of reverse osmosis concentrate, demineralizer regeneration wastewater, boiler blowdown water, and cooling tower blowdown water.

Between 1,000 to 3,500 tons of ash are generated each month, averaging 22,000 tons per year. The ash is stored on-site temporarily in an unpaved area at the northern central portion of the site. The Discharger has considered paving the ash storage area. Ash is removed regularly and disposed of at a landfill, however it has been used previously at local ranches and farms as soil amendment.

Material Storage

All the tanks at the facility are protected by roof coverings and secondary containment. A Spill Prevention Control and Countermeasure Plan, which was stamped by a registered civil engineer, was prepared in June 2002.

The following petroleum tanks are located in the fuel storage area: 20,000-gallon above ground diesel tank, and a 4,000-gallon above ground gasoline tank. Other fuels, oils, and chemicals are stored at various facility locations. Material Safety Data Sheets are available for all chemicals stored at the facility.

Domestic Waste

Domestic wastes are managed at the facility as follows:

- Domestic wastes generated from buildings along Lee Road, with the exception of the truck shop, are directed to the East Quincy Services District wastewater treatment plant. This includes waste from the forklift shop and an office on the south side of the facility. Additionally, wash water from the two on-site wash racks is discharged to the treatment plant.
- Domestic wastes generated from the truck shop and buildings within the central portion of the facility are discharged to six septic tank/leachfield systems at the facility that are summarized in the table below. The Discharger states that the septic tanks are pumped every 3 to 5 years. However, the Discharger is unsure of the age, condition, and configuration of the tanks.

B. Discharge Points and Receiving Waters

1. The Facility is located in Section 18, T24N, R10E, MDB&M, as shown in Attachment B (Figure B-1), a part of this Order.
2. Wastewater including power plant discharge water, log yard sprinkle water, and storm water run-off is discharged at Discharge Point 001 to Mill Creek, a water of the United States and a tributary of Spanish Creek, which is a tributary of the East Branch of the North Fork of the Feather River at a point Latitude 39°, 56', 43.69"N, and longitude 120°, 54', 45.92"W. Following planned site modifications, Discharge 001 will be located at a point Latitude 39°, 56', 34.8"N, and longitude 120°, 54', 24.38" W.
3. Yard Storm water run-off is discharged at Discharge Point 002 to Mill Creek at a point Latitude 39°, 56', 42.89"N, and longitude 120°, 54', 43.55"W. This discharge point can only be used following containment and transfer of the first flush from the log yard to the retention pond.
4. Storm water will be discharged at Discharge Point SW-001 to Mill Creek at a point Latitude 39°, 56', 43.69"N, and longitude 120°, 54', 45.92"W (the current location of 001).
5. Currently, Sierra Pacific has not finished the piping and outfall for the new location of Discharge 001;. Discharge 001 is currently located approximately 1,800 feet downstream of the proposed new location for Discharge 001, and is the current permitted discharge point for the facility.

C. Summary of Existing Requirements and Self-Monitoring Report (SMR) Data

Effluent limitations contained in the existing Order for discharges from Discharge Point 001 and representative monitoring data from the term of the previous Order are as follows:

Table F-2. Historic Effluent Limitations and Monitoring Data

Parameter	Units	Effluent Limitation			Monitoring Data (From November 2002 – To April 2007)		
					Highest Average Monthly Discharge	Highest Average Weekly Discharge	Highest Daily Discharge
Suspended Solids	mg/L	--	--	100	--	--	138
Settleable Solids	mL/L	0.1	--	0.2	--	--	28
Specific Conductance	µmhos/cm	700	--	900	--	--	685

D. Compliance Summary

1. The Discharger received a Notice of Violation from the Board dated 21 January 2003. The Discharger was in violation of Receiving water Limitation E.6 by 284 percent increase in receiving water turbidity. Additionally, the reported iron concentration in the effluent and receiving upstream and downstream suggested that the effluent of the Discharger had impacted receiving water.
2. The Discharger received a Notice of Violation from the Board dated 24 November 2003. The Discharger was discharging wastewater to surface waters in violation of the Waste Discharge Requirements of settleable solids.
3. The Discharger received a Notice of Violation from the Board dated 22 March 2004. The Discharger was discharging wastewater to surface waters in violation of the Waste Discharge Requirements of settleable solids and suspended solids.
4. The Discharger received a Notice of Violation from the Board dated 27 January 2005. The Discharger was discharging wastewater to surface waters in violation of the Waste Discharge Requirements of settleable solids and chronic toxicity.

E. Planned Changes

The Facility anticipates making the modifications to the pond system and outfalls as depicted on the attached figures within the next five years.

III. APPLICABLE PLANS, POLICIES, AND REGULATIONS

The requirements contained in this Order are based on the applicable plans, policies, and regulations identified in section II of the Limitations and Discharge Requirements (Findings). This section provides supplemental information, where appropriate, for the plans, policies, and regulations relevant to the discharge.

A. Legal Authority

See Limitations and Discharge Requirements - Findings, Section II.C.

B. California Environmental Quality Act (CEQA)

See Limitations and Discharge Requirements - Findings, Section II.E.

C. State and Federal Regulations, Policies, and Plans

1. **Water Quality Control Plans.** The Regional Water Board adopted a *Water Quality Control Plan, Fourth Edition (Revised August 2006), for the Sacramento and San Joaquin River Basins* (Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the plan. In addition, State Water Board Resolution No. 88-63 requires that, with certain exceptions, the Regional Water Board assign the municipal and domestic supply use to water bodies that do not have beneficial uses listed in the Basin Plan. The beneficial uses of the Mill Creek downstream of the discharge are municipal and domestic supply, agricultural irrigation, agricultural stock watering, industrial process water supply, industrial service supply, water contact recreation, other non-contact water recreation, warm freshwater aquatic habitat, cold freshwater aquatic habitat, warm fish migration habitat, cold fish migration habitat, warm spawning habitat, wildlife habitat, and navigation.

The Basin Plan on page II-1.00 states: “*Protection and enhancement of existing and potential beneficial uses are primary goals of water quality planning...*” and with respect to disposal of wastewaters states that “*...disposal of wastewaters is [not] a prohibited use of waters of the State; it is merely a use which cannot be satisfied to the detriment of beneficial uses.*”

The federal CWA section 101(a)(2), states: “*it is the national goal that wherever attainable, an interim goal of water quality which provides for the protection and propagation of fish, shellfish, and wildlife, and for recreation in and on the water be achieved by July 1, 1983.*” Federal Regulations, developed to implement the requirements of the CWA, create a rebuttable presumption that all waters be designated as fishable and swimmable. Federal Regulations, 40 CFR sections 131.2 and 131.10, require that all waters of the State regulated to protect the beneficial uses of public water supply, protection and propagation of fish, shell fish and wildlife, recreation in and on the water, agricultural, industrial and other purposes including navigation. Section 131.3(e), 40 CFR, defines existing beneficial uses as those uses actually attained after November 28, 1975, whether or not they are included in the water quality standards. Federal Regulation, 40 CFR section 131.10 requires that uses be obtained by implementing effluent limitations, requires that all downstream uses be protected and states that in no case shall a state adopt waste transport or waste assimilation as a beneficial use for any waters of the United States.

2. **Antidegradation Policy.** Section 131.12 requires that the state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California’s antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing water quality be maintained unless degradation is justified based on specific findings. The Regional Water Board’s

Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. As discussed in detail in the Fact Sheet (Attachment F, Section IV.D.3.) the discharge is consistent with the antidegradation provisions of 40 CFR section 131.12 and State Water Board Resolution 68-16. This Order specifically prohibits the discharge from causing the water quality in the receiving water to be degraded so as to cause a designated beneficial use or water quality standard to be violated.

3. **Anti-Backsliding Requirements.** Sections 402(o)(2) and 303(d)(4) of the CWA and federal regulations at title 40, Code of Federal Regulations section 122.44(l) prohibit backsliding in NPDES permits. These anti-backsliding provisions require that effluent limitations in a reissued permit must be as stringent as those in the previous permit, with some exceptions in which limitations may be relaxed. Compliance with the Anti-Backsliding requirements is discussed in Section IV.D.3.
4. **Stormwater Requirements.** USEPA promulgated Federal Regulations for storm water on 16 November 1990 in 40 CFR Parts 122, 123, and 124. The NPDES Industrial Storm Water Program regulates storm water discharges from industrial facilities. This site-specific, individual Order implements the requirements of the Industrial Storm Water Program. Therefore, the Discharger is required to obtain coverage under the general industrial storm water permit **within 90 days** of adoption of this permit.
5. **Endangered Species Act.** This Order does not authorize any act that results in the taking of a threatened or endangered species or any act that is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code sections 2050 to 2097) or the Federal Endangered Species Act (16 U.S.C.A. sections 1531 to 1544). This Order requires compliance with effluent limits, receiving water limits, and other requirements to protect the beneficial uses of waters of the state. The Discharger is responsible for meeting all requirements of the applicable Endangered Species Act.
6. **Emergency Planning and Community Right to Know Act.** Not Applicable. Facility is not a POTW, and does not discharge wastes, other than domestic wastes, into a POTW collection system.

D. Impaired Water Bodies on CWA 303(d) List –

- a. Under Section 303(d) of the 1972 Clean Water Act, states, territories and authorized tribes are required to develop lists of water quality limited segments. The waters on these lists do not meet water quality standards, even after point sources of pollution have installed the minimum required levels of pollution control technology. On July 25, 2003 USEPA gave final approval to California's 2002 Section 303(d) List of Water Quality Limited Segments. The Basin Plan references this list of Water Quality Limited Segments (WQLSs), which are defined as “...*those sections of lakes, streams, rivers or other fresh water bodies where water quality does not meet (or is not expected to meet) water quality standards even after the application of appropriate limitations for point sources (40 CFR 130, et seq.)*.” The Basin Plan also states, “*Additional treatment beyond minimum federal standards will be imposed on dischargers to [WQLSs]. Dischargers will be assigned or allocated a maximum*

allowable load of critical pollutants so that water quality objectives can be met in the segment.” The receiving water has not been 303d-listed.

b. **Total Maximum Daily Loads.** No TMDL has been adopted for the receiving water.

E. Other Plans, Policies and Regulations

The State Water Board adopted the *Water Quality Control Policy for the Enclosed Bays and Estuaries of California*. The requirements within this Order are consistent with the Policy.

IV. RATIONALE FOR EFFLUENT LIMITATIONS AND DISCHARGE SPECIFICATIONS

Effluent limitations and toxic and pretreatment effluent standards established pursuant to Sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 304 (Information and Guidelines), and 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act (CWA) and amendments thereto are applicable to the discharge.

The Federal CWA mandates the implementation of effluent limitations that are as stringent as necessary to meet water quality standards established pursuant to state or federal law [33 U.S.C., § 1311(b)(1)(C); 40 CFR, § 122.44(d)(1)]. NPDES permits must incorporate discharge limits necessary to ensure that water quality standards are met. This requirement applies to narrative criteria as well as to criteria specifying maximum amounts of particular pollutants. Pursuant to Federal Regulations, 40 CFR Section 122.44(d)(1)(i), NPDES permits must contain limits that control all pollutants that “*are or may be discharged at a level which will cause, have the reasonable potential to cause, or contribute to an excursion above any state water quality standard, including state narrative criteria for water quality.*” Federal Regulations, 40 CFR, §122.44(d)(1)(vi), further provide that “[w]here a state has not established a water quality criterion for a specific chemical pollutant that is present in an effluent at a concentration that causes, has the reasonable potential to cause, or contributes to an excursion above a narrative criterion within an applicable State water quality standard, the permitting authority must establish effluent limits.”

The CWA requires point source discharges to control the amount of conventional, non-conventional, and toxic pollutants that are discharged into the waters of the United States. The control of pollutants discharged is established through effluent limitations and other requirements in NPDES permits. There are two principal bases for effluent limitations: 40 CFR §122.44(a) requires that permits include applicable technology-based limitations and standards, and 40 CFR §122.44(d) requires that permits include water quality-based effluent limitations to attain and maintain applicable numeric and narrative water quality criteria to protect the beneficial uses of the receiving water where numeric water quality objectives have not been established. The Regional Water Board’s Basin Plan, page IV-17.00, contains an implementation policy (“Policy for Application of Water Quality Objectives” that specifies that the Regional Water Board “*will, on a case-by-case basis, adopt numerical limitations in orders which will implement the narrative objectives.*” This Policy complies with 40 CFR §122.44(d)(1). With respect to narrative objectives, the Regional Water Board must establish effluent

limitations using one or more of three specified sources, including (1) EPA's published water quality criteria, (2) a proposed state criterion (*i.e.*, water quality objective) or an explicit state policy interpreting its narrative water quality criteria (*i.e.*, the Regional Water Board's "Policy for Application of Water Quality Objectives")(40 CFR 122.44(d)(1)(vi) (A), (B) or (C)), or (3) an indicator parameter. The Basin Plan contains a narrative objective requiring that: "*All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life*" (narrative toxicity objective). The Basin Plan requires the application of the most stringent objective necessary to ensure that surface water and groundwater do not contain chemical constituents, discoloration, toxic substances, radionuclides, or taste and odor producing substances that adversely affect beneficial uses. The Basin Plan states that material and relevant information, including numeric criteria, and recommendations from other agencies and scientific literature will be utilized in evaluating compliance with the narrative toxicity objective. The Basin Plan also limits chemical constituents in concentrations that adversely affect surface water beneficial uses. For waters designated as municipal, the Basin Plan specifies that, at a minimum, waters shall not contain concentrations of constituents that exceed Maximum Contaminant Levels (MCL) of CCR Title 22. The Basin Plan further states that, to protect all beneficial uses, the Regional Water Board may apply limits more stringent than MCLs.

A. Discharge Prohibitions

1. *As stated in section I.G of Attachment D, Standard Provisions, this Order prohibits bypass from any portion of the treatment facility. Federal Regulations, 40 CFR 122.41 (m), define "bypass" as the intentional diversion of waste streams from any portion of a treatment facility. This section of the Federal Regulations, 40 CFR 122.41 (m)(4), prohibits bypass unless it is unavoidable to prevent loss of life, personal injury, or severe property damage. In considering the Regional Water Board's prohibition of bypasses, the State Water Board adopted a precedential decision, Order No. WQO 2002-0015, which cites the Federal Regulations, 40 CFR 122.41(m), as allowing bypass only for essential maintenance to assure efficient operation.*
2. Discharge of wastewater, including industrial storm water at a location or in a manner different from that described in the Findings, is prohibited.
3. The by-pass or overflow of wastewater, including industrial storm water to surface waters is prohibited, except as allowed by Federal Standard Provisions I.G. and I.H. (Attachment D).
4. Neither the discharge nor its treatment shall create a nuisance as defined in Section 13050 of the California Water Code.
5. The by-pass of sediment-laden storm water around the sedimentation basins is prohibited.
6. The discharge of hazardous or toxic substances, including solvents or petroleum products (*i.e.* oil, grease, gasoline, and diesel) to surface waters or groundwater is prohibited.

B. Technology-Based Effluent Limitations

1. Scope and Authority

The CWA requires that technology-based effluent limitations be established based on several levels of controls:

- Best practicable treatment control technology (BPT) represents the average of the best performance by plants within an industrial category or subcategory. BPT standards apply to toxic, conventional, and non-conventional pollutants.
- Best available technology economically achievable (BAT) represents the best existing performance of treatment technologies that are economically achievable within an industrial point source category. BAT standards apply to toxic and non-conventional pollutants.
- Best conventional pollutant control technology (BCT) represents the control from existing industrial point sources of conventional pollutants including BOD, TSS, pH, and oil and grease. The BCT standard is established after considering the “cost reasonableness” of the relationship between the cost of attaining a reduction in effluent discharge and the benefits that would result, and also the cost effectiveness of additional industrial treatment beyond BPT.
- New source performance standards (NSPS) represent the best available demonstrated control technology standards. The intent of NSPS guidelines is to set limitations that represent state-of-the-art treatment technology for new sources.

The CWA requires USEPA to develop effluent limitations, guidelines and standards (ELGs) representing application of BPT, BAT, BCT, and NSPS. Section 402(a)(1) of the CWA and section 125.3 of the Code of Federal Regulations authorize the use of best professional judgment (BPJ) to derive technology-based effluent limitations on a case-by-case basis where ELGs are not available for certain industrial categories and/or pollutants of concern. Where BPJ is used, the permit writer must consider specific factors outlined in section 125.3.

2. Applicable Technology-Based Effluent Limitations

The Discharger operates a “wet deck” log storage operation, a “barking” operation, and a “sawmills and planing mills” operation. Therefore, effluent limitations established in Timber Products Processing Point Source Category (40 CFR Part 429) are applicable to the discharge. Specifically, Subpart A (Barking Subcategory), Subpart I (Wet Storage Subcategory), and Subpart K (Sawmills and Planing Mills Subcategory) apply.

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT). The following effluent limitations apply to Discharge Point 001:

- Barking - There shall be no discharge of process wastewater into navigable waters.
- Sawmills and Planing Mills - There shall be no discharge of process wastewater pollutants into navigable waters.
- Wet Storage - There shall be no debris discharged and the pH shall be within the range of 6.0 to 9.0 at all times. Where, “debris” means woody material such as bark, twigs, branches, heartwood or sapwood that will not pass through a 2.54 cm (1.0 in) diameter round opening and is present in the discharge from a wet storage facility.

Summary of Technology-based Effluent Limitations Discharge Point 001

Table F-3. Summary of Technology-based Effluent Limitations

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
pH	pH units	--	--	--	6.0	9.0

C. Water Quality-Based Effluent Limitations (WQBELs)

1. Scope and Authority

As specified in section 122.44(d)(1)(i), permits are required to include WQBELs for pollutants (including toxicity) that are or may be discharged at levels that cause, have reasonable potential to cause, or contribute to an in-stream excursion above any state water quality standard. The process for determining reasonable potential and calculating WQBELs when necessary is intended to protect the designated uses of the receiving water as specified in the Basin Plan, and achieve applicable water quality objectives and criteria that are contained in other state plans and policies, or any applicable water quality criteria contained in the CTR and NTR.

Also as specified in Section 122.44(K), best management practices (BMPs) may be used in lieu of numeric effluent limitations when:

- a. authorized under section 304(e) of the CWA for control of toxic pollutants and hazardous substances from ancillary industrial activities;
- b. authorized under section 402(p) of the CWA for the control of storm water discharges;
- c. numeric effluent limitations are infeasible; or
- d. the practices are reasonably necessary to achieve effluent limitations and standards or to carry out the purpose and intent of the CWA.

Section 402(p) authorizes regulation of storm water discharges associated with industrial activities. A combination of BMPs, numeric effluent limitations, and receiving water limitations are utilized in this Order to regulate the discharge of pollutants from the Dischargers Facility.

2. Applicable Beneficial Uses and Water Quality Criteria and Objectives

- a. **Receiving Water.** The beneficial uses of Mill Creek of the discharge are municipal and domestic supply; hydropower generation; water contact recreation, including canoeing and rafting; non-contact water recreation, including aesthetic enjoyment; commercial and sport fishing; aquaculture; cold freshwater habitat; cold spawning, reproduction, and /or early development; and wildlife habitat.
- b. **Hardness.** While no effluent limitation for hardness is necessary in this Order, hardness is critical to the assessment of the need for, and the development of, effluent limitations for certain metals. The *California Toxics Rule*, at (c)(4), states the following:

“Application of metals criteria. (i) For purposes of calculating freshwater aquatic life criteria for metals from the equations in paragraph (b)(2) of this section, for waters with a hardness of 400 mg/L or less as calcium carbonate, the actual

ambient hardness of the surface water shall be used in those equations.”

The State Water Board, in footnote 19 to Water Quality Order No. 2004-0013, stated: “*We note that...the Regional Water Board...applied a variable hardness value whereby effluent limitations will vary depending on the actual, current hardness values in the receiving water. We recommend that the Regional Water Board establish either fixed or seasonal effluent limitations for metals, as provided in the SIP, rather than ‘floating’ effluent limitations.*”

Effluent limitations for the discharge must be set to protect the beneficial uses of the receiving water for all discharge conditions. In the absence of the option of including condition-dependent, “floating” effluent limitations that are reflective of actual conditions at the time of discharge, effluent limitations must be set using a reasonable worst-case condition in order to protect beneficial uses for all discharge conditions. For purposes of establishing water quality-based effluent limitations, water quality criteria for acute and chronic copper, acute and chronic chromium III, acute and chronic nickel, acute and chronic zinc, and chronic cadmium were developed using the lowest effluent hardness value 45 mg/L; water quality criteria for acute cadmium, acute and chronic lead, and acute silver were developed using the lowest receiving water hardness value 30 mg/L.

- c. **Assimilative Capacity/Mixing Zone.** Based on the available information, the worst-case dilution is assumed to be zero to provide protection for the receiving water beneficial uses. The impact of assuming zero dilution/assimilative capacity within the receiving water is that the discharge limitations are end-of-pipe limits with no allowance for dilution within the receiving water.

3. Determining the Need for WQBELs

- a. CWA section 301 (b)(1) requires NPDES permits to include effluent limitations that achieve technology-based standards and any more stringent limitations necessary to meet water quality standards. Water quality standards include Regional Water Board Basin Plan beneficial uses and narrative and numeric water quality objectives, State Water Board-adopted standards, and federal standards, including the CTR and NTR. The Basin Plan includes numeric site-specific water quality objectives and narrative objectives for toxicity, chemical constituents, and tastes and odors. The narrative toxicity objective states: “*All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.*” (Basin Plan at III-8.00.) With regards to the narrative chemical constituents objective, the Basin Plan states that waters shall not contain chemical constituents in concentrations that adversely affect beneficial uses. At minimum, “...water designated for use as domestic or municipal supply (MUN) shall not contain concentrations of chemical constituents in excess of the maximum contaminant levels (MCLs)” in Title 22 of CCR. The narrative tastes and odors objective states: “*Water shall not contain taste- or odor-producing substances in concentrations that impart undesirable tastes or odors to domestic or municipal*

water supplies or to fish flesh or other edible products of aquatic origin, or that cause nuisance, or otherwise adversely affect beneficial uses.”

- b. Federal regulations require effluent limitations for all pollutants that are or may be discharged at a level that will cause or have the reasonable potential to cause, or contribute to an in-stream excursion above a narrative or numerical water quality standard. Based on information submitted as part of the application, in studies, and as directed by monitoring and reporting programs, the Regional Water Board finds that the discharge has a reasonable potential to cause or contribute to an in-stream excursion above a water quality standard for copper and lead. Water quality-based effluent limitations (WQBELs) for these constituents are included in this Order. A detailed discussion of the RPA for each constituent is provided below.
- c. The Regional Water Board conducted the RPA in accordance with Section 1.3 of the SIP. Although the SIP applies directly to the control of CTR priority pollutants, the State Water Board has held that the Regional Water Board may use the SIP as guidance for water quality-based toxics control.¹ The SIP states in the introduction “*The goal of this Policy is to establish a standardized approach for permitting discharges of toxic pollutants to non-ocean surface waters in a manner that promotes statewide consistency.*” Therefore, in this Order the RPA procedures from the SIP were used to evaluate reasonable potential for both CTR and non-CTR constituents.
- d. WQBELs were calculated in accordance with section 1.4 of the SIP, as described in Attachment F, Section IV.C.4.
- e. **Bis (2-ethylhexyl) phthalate.** Bis (2-ethyl-hexyl) phthalate is used primarily as one of several plasticizers in polyvinyl chloride (PVC) resins for fabricating flexible vinyl products. According to the Consumer Product Safety Commission, USEPA, and the Food and Drug Administration, these PVC resins are used to manufacture many products, including soft squeeze toys, balls, raincoats, adhesives, polymeric coatings, components of paper and paperboard, defoaming agents, animal glue, surface lubricants, and other products that must stay flexible and noninjurious for the lifetime of their use. The State MCL for bis(2-ethylhexyl)phthalate is 4 µg/l and the USEPA MCL is 6 µg/l. The NTR criterion for Human health protection for consumption of water and aquatic organisms is 1.8 µg/l and for consumption of aquatic organisms only is 5.9 µg/l.

For Discharge Point 001, the MEC for bis (2-ethyl-hexyl) phthalate was 7 µg/L, based on two samples collected between 8 November 2002 and 12 February 2007, while the maximum observed upstream receiving water bis (2-ethyl-hexyl) phthalate concentration was 30 µg/L, based on one sample collected on 8 November 2002. Therefore, the discharge has a reasonable potential to cause or contribute to an in-stream excursion above the NTR criterion for bis (2-ethylhexyl) phthalate.

¹ See, Order WQO 2001-16 (Napa) and Order WQO 2004-0013 (Yuba City)

Since bis (2-ethylhexyl) phthalate is a common contaminant of sample containers, sampling apparatus, and analytical equipment, and sources of the detected bis (2-ethylhexyl) phthalate may be from plastics used for sampling or analytical equipment, the Regional Water Board is not establishing effluent limitations for bis (2-ethylhexyl) phthalate at this time. Instead of limitations, additional monitoring has been established for bis (2-ethylhexyl) phthalate; should monitoring results indicate that the discharge has the reasonable potential to cause or contribute to an exceedance of a water quality standard, then this Order may be reopened and modified by adding an appropriate effluent limitation.

- f. **Copper.** The CTR includes hardness-dependent criteria for the protection of freshwater aquatic life for copper. The criteria for copper are presented in dissolved concentrations. USEPA recommends conversion factors to translate dissolved concentrations to total concentrations. The USEPA default conversion factors for copper in freshwater are 0.96 for both the acute and the chronic criteria. Using the worst-case measured hardness from the effluent (45 mg/L as CaCO_3) and the USEPA recommended dissolved-to-total translator, the applicable chronic criterion (maximum four-day average concentration) is 4.7 $\mu\text{g/L}$ and the applicable acute criterion (maximum one-hour average concentration) is 6.6 $\mu\text{g/L}$, as total recoverable.

The MEC for total copper was 6.96 $\mu\text{g/L}$, based on two samples collected between 8 November 2002 and 12 February 2007; while the maximum observed upstream receiving water total copper concentration was 1.2 $\mu\text{g/L}$, based on one sample collected on 8 November 2002. Therefore, the discharge has a reasonable potential to cause or contribute to an in-stream excursion above the CTR criteria for copper. No dilution is allowed due to periods of no flow in the receiving water. An AMEL and MDEL for total copper of 3.3 $\mu\text{g/L}$ and 6.6 $\mu\text{g/L}$, respectively, are included in this Order based on CTR criteria for the protection of freshwater aquatic life (See Attachment F, Table F-8 for WQBEL calculations).

The Discharger is unable to comply with these limitations. Section 2.1 of the SIP allows for compliance schedules within the permit for existing discharges where it is demonstrated that it is infeasible for a Discharger to achieve immediate compliance with a CTR criterion. Using the statistical methods for calculating interim effluent limitations described in Attachment F, Section IV.D.1., an interim performance-based maximum daily limitation of 21.65 $\mu\text{g/L}$ was calculated.

Section 2.1 of the SIP provides that: *“Based on an existing discharger’s request and demonstration that it is infeasible for the discharger to achieve immediate compliance with a CTR criterion, or with an effluent limitation based on a CTR criterion, the RWQCB may establish a compliance schedule in an NPDES permit.”* Section 2.1, further states that compliance schedules may be included in NPDES permits provided that the following justification has been submitted: *...“(a) documentation that diligent efforts have been made to quantify pollutant levels in the discharge and the sources of the pollutant in the waste stream; (b)*

documentation of source control measures and/or pollution minimization measures efforts currently underway or completed; (c) a proposal for additional or future source control measures, pollutant minimization actions, or waste treatment (i.e., facility upgrades); and (d) a demonstration that the proposed schedule is as short as practicable.” The new water quality-based effluent limitations for copper become effective on **May 18, 2010**.

This Order requires the Discharger to submit a corrective action plan and implementation schedule to assure compliance with the final copper effluent limitations. The interim effluent limitations are in effect through **May 17, 2010**. As part of the compliance schedule for copper, the Discharger shall develop a pollution prevention program in compliance with CWC section 13263.3(d)(3) and submit an engineering treatment feasibility study.

g. Electrical Conductivity. (see Subsection k. Salinity)

h. Iron. Based on previous iron sampling, the Regional Water Board finds that there is not sufficient information to determine if the discharge has a reasonable potential to cause or contribute to an in-stream excursion above applicable water quality standards, and therefore, water quality based effluent limitations for iron is not included in this Order. This Order requires additional sampling and reporting to make this determination. Sampling will be required on a quarterly basis for the industrial water supply, cogeneration plant effluent and receiving water samples, which will be analyzed for iron to determine if there is the reasonable potential of the effluent to cause an in-stream excursion above applicable water quality standards. If there is a reasonable potential, then the Order will be reopened and effluent limits will be assigned as applicable.

i. Lead. The CTR includes hardness-dependent standards for the protection of freshwater aquatic life for lead. The standards for metals are presented in dissolved concentrations. USEPA recommends conversion factors to translate dissolved concentrations to total concentrations. The conversion factors for lead in freshwater are $1.46203 - [0.145712 \times \ln(\text{hardness})]$ for both the acute and the chronic criteria. Using the worst-case measured hardness from the effluent and receiving water (30 mg/L), the applicable chronic criterion (maximum four-day average concentration) is 0.69 µg/L and the applicable acute criterion (maximum one-hour average concentration) is 18 µg/L, as total recoverable.

The MEC for total lead was 0.82 µg/L, based on based on two samples collected between 8 November 2002 and 12 February 2007, while the maximum observed upstream receiving water total lead concentration was 0.16 µg/L, based on one sample collected on 8 November 2002. Therefore, the Discharge has a reasonable potential to cause or contribute to an in-stream excursion above the CTR criteria for lead.

No dilution is allowed due to periods of no flow in the receiving water. An AMEL and MDEL for total lead of 0.56 µg/L and 1.13 µg/L, respectively, are included in

this Order based on CTR criteria for the protection of freshwater aquatic life (See Attachment F, Table F-9 for WQBEL calculations).

The Discharger is unable to comply with these limitations. Section 2.1 of the SIP allows for compliance schedules within the permit for existing discharges where it is demonstrated that it is infeasible for a Discharger to achieve immediate compliance with a CTR criterion. Using the statistical methods for calculating interim effluent limitations described in Attachment F, Section IV.D.1., an interim performance-based maximum daily limitation of 2.55 µg/L was calculated.

Section 2.1 of the SIP provides that: *“Based on an existing discharger’s request and demonstration that it is infeasible for the discharger to achieve immediate compliance with a CTR criterion, or with an effluent limitation based on a CTR criterion, the RWQCB may establish a compliance schedule in an NPDES permit.”* Section 2.1, further states that compliance schedules may be included in NPDES permits provided that the following justification has been submitted: *...“(a) documentation that diligent efforts have been made to quantify pollutant levels in the discharge and the sources of the pollutant in the waste stream; (b) documentation of source control measures and/or pollution minimization measures efforts currently underway or completed; (c) a proposal for additional or future source control measures, pollutant minimization actions, or waste treatment (i.e., facility upgrades); and (d) a demonstration that the proposed schedule is as short as practicable.”* The new water quality-based effluent limitations for lead become effective on **May 18, 2010**.

This Order requires the Discharger to submit a corrective action plan and implementation schedule to assure compliance with the final lead effluent limitations. The interim effluent limitations are in effect through **May 17, 2010**. As part of the compliance schedule for lead, the Discharger shall develop a pollution prevention program in compliance with CWC section 13263.3(d)(3) and submit an engineering treatment feasibility study.

- j. **Oil and Grease.** The Basin Plan includes a water quality objective for oil and grease in surface waters, which states: *“Waters shall not contain oils, greases, waxes, or other materials in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses”*. This Order includes numeric monthly average and daily maximum Effluent Limitations of 10 mg/l and 15 mg/l, respectively, to implement the Basin Plan’s narrative objective for oil and grease. These effluent limitations are based on best professional judgment (BPJ) and Regional Water Board staff’s experience with wastewater treatment plant capabilities and levels necessary to meet the Basin Plan objective for oil and grease. A daily maximum effluent limitation for oil and grease is included in the Order, in lieu of a weekly average, to ensure that the treatment works operate in accordance with design capabilities. The daily maximum effluent limitation will also ensure that the Discharger requires proper removal and disposal of oil and grease from commercial food service sources and properly operates and maintains the collection system to minimize plugging from oil and grease. The

Discharger can also maintain compliance through educating the public on the impacts of discharging oil and grease into the collection system.

- k. **Salinity.** The discharge contains total dissolved solids (TDS), chloride, sulfate, and electrical conductivity (EC). These are water quality parameters that are indicative of the salinity of the water. Their presence in water can be growth limiting to certain agricultural crops and can affect the taste of water for human consumption. There are no USEPA water quality criteria for the protection of aquatic organisms for these constituents. The Basin Plan contains a chemical constituent objective that incorporates State MCLs, contains a narrative objective, and contains numeric water quality objectives for EC, TDS, Sulfate, and Chloride.

Table F-4. Salinity Water Quality Criteria/Objectives

Parameter	Agricultural WQ Goal ¹	Secondary MCL ³	Effluent	
			Avg	Max
EC (µmhos/cm)	Varies ²	900, 1600, 2200	227	685
TDS (mg/L)	Varies	500, 1000, 1500	17	138
Sulfate (mg/L)	Varies	250, 500, 600	N/A	N/A
Chloride (mg/L)	Varies	250, 500, 600	N/A	N/A

- 1 Agricultural water quality goals based on *Water Quality for Agriculture*, Food and Agriculture Organization of the United Nations—Irrigation and Drainage Paper No. 29, Rev. 1 (R.S. Ayers and D.W. Westcot, Rome, 1985)
- 2 Agricultural water quality goals listed provide no restrictions on crop type or irrigation methods for maximum crop yield. Higher concentrations may require special irrigation methods to maintain crop yields or may restrict types of crops grown.
- 3 The secondary MCLs are stated as a recommended level, upper level, and a short-term maximum level.

- i. **Chloride.** The secondary MCL for chloride is 250 mg/L, as recommended level, 500 mg/L as an upper level, and 600 mg/L as a short-term maximum. The recommended agricultural water quality goal for chloride, that would apply the narrative chemical constituent objective, is 106 mg/L as a long-term average based on *Water Quality for Agriculture*, Food and Agriculture Organization of the United Nations—Irrigation and Drainage Paper No. 29, Rev. 1 (R.S. Ayers and D.W. Westcot, Rome, 1985). The 106 mg/L water quality goal is intended to protect against adverse effects on sensitive crops when irrigated via sprinklers.
- ii. **Electrical Conductivity (EC).** The secondary MCL for EC is 900 µmhos/cm as a recommended level, 1600 µmhos/cm as an upper level, and 2200 µmhos/cm as a short-term maximum. The agricultural water quality goal, that would apply the narrative chemical constituents objective, is 700 µmhos/cm as a long-term average based on *Water Quality for*

Agriculture, Food and Agriculture Organization of the United Nations—Irrigation and Drainage Paper No. 29, Rev. 1 (R.S. Ayers and D.W. Westcot, Rome, 1985). The current Order contains EC effluent limits of 700 $\mu\text{mhos/cm}$ as an annual average and 900 $\mu\text{mhos/cm}$ as a daily maximum. This Order carries forward the effluent limitations.

A review of the Discharger's monitoring reports from 8 November 2002 and 12 February 2007 shows an average effluent EC of 227 $\mu\text{mhos/cm}$, with a range from 100 $\mu\text{mhos/cm}$ to 685 $\mu\text{mhos/cm}$ for 82 samples. These levels do not exceed the applicable objectives. The background receiving water EC averaged 111 $\mu\text{mhos/cm}$ in 82 sampling events collected by the Discharger from 8 November 2002 and 12 February 2007.

- iii. **Sulfate.** The secondary MCL for sulfate is 250 mg/L as recommended level, 500 mg/L as an upper level, and 600 mg/L as a short-term maximum.
- iv. **Total Dissolved Solids (TDS).** The secondary MCL for TDS is 500 mg/L as a recommended level, 1000 mg/L as an upper level, and 1500 mg/L as a short-term maximum. The recommended agricultural water quality goal for TDS, that would apply the narrative chemical constituent objective, is 450 mg/L as a long-term average based on Water Quality for Agriculture, Food and Agriculture Organization of the United Nations—Irrigation and Drainage Paper No. 29, Rev. 1 (R.S. Ayers and D.W. Westcot, Rome, 1985). Water Quality for Agriculture evaluates the impacts of salinity levels on crop tolerance and yield reduction, and establishes water quality goals that are protective of the agricultural uses. The 450 mg/L water quality goal is intended to prevent reduction in crop yield, i.e. a restriction on use of water, for salt-sensitive crops. Only the most salt sensitive crops require irrigation water of 450 mg/L or less to prevent loss of yield. Most other crops can tolerate higher TDS concentrations without harm, however, as the salinity of the irrigation water increases, more crops are potentially harmed by the TDS, or extra measures must be taken by the farmer to minimize or eliminate any harmful impacts.

The average TDS effluent concentration was 17 mg/L and a ranged from 1 mg/L to 138 mg/L for 81 samples collected by the Discharger from 8 November 2002 and 12 February 2007. These concentrations do not exceed the applicable water quality objectives. The background receiving water TDS ranged from 0.32 mg/L to 62.6 mg/L, with an average of 5.0 mg/L in 81 sampling events performed by the Discharger from 8 November 2002 and 12 February 2007.
- v. **Salinity Effluent Limitations.** Electrical Conductivity effluent limitations from the current Order are being carried forward.
- I. **Settleable Solids.** For inland surface waters, the Basin Plan states that “[w]ater shall not contain substances in concentrations that result in the deposition of material that causes nuisance or adversely affects beneficial uses.” This Order

contains average monthly and average daily effluent limitations for settleable solids.

Because the amount of settleable solids is measured in terms of volume per volume without a mass component, it is impracticable to calculate mass limitations for inclusion in this Order. A daily maximum effluent limitation for settleable solids is included in the Order, in lieu of a weekly average, to ensure that the treatment works operate in accordance with design capabilities.

m. **Toxicity.** See Section IV.C.5. of the Fact Sheet regarding whole effluent toxicity.

4. WQBEL Calculations

- a. Effluent limitations for copper and lead were calculated in accordance with section 1.4 of the SIP. The following paragraphs describe the methodology used for calculating effluent limitations.
- b. **Effluent Limitation Calculations.** In calculating maximum effluent limitations, the effluent concentration allowances were set equal to the criteria/standards/objectives.

$$ECA_{acute} = CMC \qquad ECA_{chronic} = CCC$$

For the human health, agriculture, or other long-term criterion/objective, a dilution credit can be applied. The ECA is calculated as follows:

$$ECA_{HH} = HH + D(HH - B)$$

where:

ECA_{acute} = effluent concentration allowance for acute (one-hour average) toxicity criterion

$ECA_{chronic}$ = effluent concentration allowance for chronic (four-day average) toxicity criterion

ECA_{HH} = effluent concentration allowance for human health, agriculture, or other long-term criterion/objective

CMC = criteria maximum concentration (one-hour average)

CCC = criteria continuous concentration (four-day average, unless otherwise noted)

HH = human health, agriculture, or other long-term criterion/objective

D = dilution credit

B = maximum receiving water concentration

Acute and chronic toxicity ECAs were then converted to equivalent long-term averages (LTA) using statistical multipliers and the lowest is used. Additional

statistical multipliers were then used to calculate the maximum daily effluent limitation (MDEL) and the average monthly effluent limitation (AMEL).

Human health ECAs are set equal to the AMEL and a statistical multiplier is used to calculate the MDEL.

$$\begin{aligned}
 & \text{AMEL} = \text{mult}_{\text{AMEL}} \left[\min \left(\overbrace{M_A \text{ECA}_{\text{acute}}}, \text{LTA}_{\text{acute}}, M_C \text{ECA}_{\text{chronic}} \right) \right] \\
 & \text{MDEL} = \text{mult}_{\text{MDEL}} \left[\min \left(M_A \text{ECA}_{\text{acute}}, \underbrace{M_C \text{ECA}_{\text{chronic}}}_{\text{LTA}_{\text{chronic}}} \right) \right] \\
 & \text{MDEL}_{\text{HH}} = \left(\frac{\text{mult}_{\text{MDEL}}}{\text{mult}_{\text{AMEL}}} \right) \text{AMEL}_{\text{HH}}
 \end{aligned}$$

where:

- $\text{mult}_{\text{AMEL}}$ = statistical multiplier converting minimum LTA to AMEL
- $\text{mult}_{\text{MDEL}}$ = statistical multiplier converting minimum LTA to MDEL
- M_A = statistical multiplier converting CMC to LTA
- M_C = statistical multiplier converting CCC to LTA

Water quality-based effluent limitations were calculated for copper and lead as follows in Tables F-8 through F-9, below.

Table F-5. WQBEL Calculations for Copper

	Acute	Chronic
Criteria, dissolved ($\mu\text{g/L}$) ⁽¹⁾	6.3	4.5
Dilution Credit	No Dilution	No Dilution
Translator ⁽²⁾	0.96	0.96
ECA, total recoverable ⁽³⁾	6.6	4.7
ECA Multiplier ⁽⁴⁾	0.32	0.52
LTA	2.11	2.47
AMEL Multiplier (95 th %) ⁽⁵⁾⁽⁶⁾	1.55	⁽⁸⁾
AMEL ($\mu\text{g/L}$)	3.3	⁽⁸⁾
MDEL Multiplier (99 th %) ⁽⁷⁾	3.11	⁽⁸⁾
MDEL ($\mu\text{g/L}$)	6.6 ⁽⁹⁾	⁽⁸⁾

⁽¹⁾ CTR aquatic life criteria, based on a hardness of 45 mg/L as CaCO_3 .

⁽²⁾ EPA Translator used as default.

⁽³⁾ ECA calculated per section 1.4.B, Step 2 of SIP. This allows for the consideration of dilution.

⁽⁴⁾ Acute and Chronic ECA Multiplier calculated at 99th percentile per section 1.4.B, Step 3 of SIP or per sections 5.4.1 and 5.5.4 of the TSD.

⁽⁵⁾ Assumes sampling frequency $n \geq 4$.

⁽⁶⁾ The probability basis for AMEL is 95th percentile per section 1.4.B, Step 5 of SIP or section 5.5.4 of the TSD.

⁽⁷⁾ The probability basis for MDEL is 99th percentile per section 1.4.B, Step 5 of SIP or section 5.5.4 of the TSD.

⁽⁸⁾ Limitations based on acute LTA (Acute LTA < Chronic LTA)

⁽⁹⁾ MDEL is less than the Basin Plan site-specific objective for copper (10.4 $\mu\text{g/L}$), final effluent limitations implement the MDEL.

Table F-6. WQBEL Calculations for Lead

	Acute	Chronic
Criteria (µg/L) ⁽¹⁾	17	0.66
Dilution Credit	No Dilution	No Dilution
ECA	18	0.69
ECA Multiplier	0.32	0.52
LTA	5.78	0.36
AMEL Multiplier (95 th %)	(2)	1.55
AMEL (µg/L)	(2)	0.56
MDEL Multiplier (99 th %)	(2)	3.11
MDEL (µg/L)	(2)	1.13

⁽¹⁾ CTR aquatic life criteria, based on a hardness of 30 mg/L as CaCO₃.

⁽²⁾ Limitations based on chronic LTA (Chronic LTA < Acute LTA)

Summary of Water Quality-based Effluent Limitations Discharge Point 001

Table F-7. Summary of Water Quality-based Effluent Limitations

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Suspended Solids	mg/L	--	--	100	--	--
Settleable Solids	mL/L	0.1	--	0.2	--	--
Electrical Conductivity	µmhos/cm	700	--	900	--	--
Copper	µg/L	3.3	--	6.6	--	--
Lead	µg/L	0.56	--	1.13	--	--

5. Whole Effluent Toxicity (WET)

For compliance with the Basin Plan's narrative toxicity objective, this Order requires the Discharger to conduct whole effluent toxicity testing for acute and chronic toxicity, as specified in the Monitoring and Reporting Program (Attachment E, Section V.). This Order also contains effluent limitations for acute toxicity and requires the Discharger to implement best management practices to investigate the causes of, and identify corrective actions to reduce or eliminate effluent toxicity.

- a. **Acute Aquatic Toxicity.** The Basin Plan contains a narrative toxicity objective that states, "*All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.*" (Basin Plan at III-8.00) The Basin Plan also states that, "...effluent limits based upon acute biotoxicity tests of effluents will be prescribed where appropriate...". USEPA Region 9 provided guidance for the development of acute toxicity effluent limitations in the absence of numeric water quality

objectives for toxicity in its document titled "Guidance for NPDES Permit Issuance", dated February 1994. In section B.2. "Toxicity Requirements" (pgs. 14-15) it states that, *"In the absence of specific numeric water quality objectives for acute and chronic toxicity, the narrative criterion 'no toxics in toxic amounts' applies. Achievement of the narrative criterion, as applied herein, means that ambient waters shall not demonstrate for acute toxicity: 1) less than 90% survival, 50% of the time, based on the monthly median, or 2) less than 70% survival, 10% of the time, based on any monthly median. For chronic toxicity, ambient waters shall not demonstrate a test result of greater than 1 TUc."* Accordingly, effluent limitations for acute toxicity have been included in this Order as follows:

Acute Toxicity. Survival of aquatic organisms in 96-hour bioassays of undiluted waste shall be no less than:

Minimum for any one bioassays -----	70%
Median for any three or more consecutive bioassays -----	90%

- b. **Chronic Aquatic Toxicity.** Based on annual whole effluent chronic toxicity testing performed by the Discharger from 8 November 2002 through 16 April 2007, the discharge has reasonable potential to cause or contribute to an to an in-stream excursion above of the Basin Plan's narrative toxicity objective.

No dilution has been granted for the chronic condition. Therefore, chronic toxicity testing results exceeding 1 chronic toxicity unit (TUc) demonstrates the discharge has a reasonable potential to cause or contribute to an exceedance of the Basin Plan's narrative toxicity objective.

Numeric chronic WET effluent limitations have not been included in this order. The SIP contains implementation gaps regarding the appropriate form and implementation of chronic toxicity limits. This has resulted in the petitioning of a NPDES permit in the Los Angeles Region² that contained numeric chronic toxicity effluent limitations. To address the petition, the State Water Board adopted WQO 2003-012 directing its staff to revise the toxicity control provisions in the SIP. The State Water Board states the following in WQO 2003-012, *"In reviewing this petition and receiving comments from numerous interested persons on the propriety of including numeric effluent limitations for chronic toxicity in NPDES permits for publicly-owned treatment works that discharge to inland waters, we have determined that this issue should be considered in a regulatory setting, in order to allow for full public discussion and deliberation. We intend to modify the SIP to specifically address the issue. We anticipate that*

² In the Matter of the Review of Own Motion of Waste Discharge Requirements Order Nos. R4-2002-0121 [NPDES No. CA0054011] and R4-2002-0123 [NPDES NO. CA0055119] and Time Schedule Order Nos. R4-2002-0122 and R4-2002-0124 for Los Coyotes and Long Beach Wastewater Reclamation Plants Issued by the California Regional Water Quality Control Board, Los Angeles Region SWRCB/OCC FILES A-1496 AND 1496(a)

review will occur within the next year. We therefore decline to make a determination here regarding the propriety of the final numeric effluent limitations for chronic toxicity contained in these permits.” The process to revise the SIP is currently underway. Proposed changes include clarifying the appropriate form of effluent toxicity limits in NPDES permits and general expansion and standardization of toxicity control implementation related to the NPDES permitting process. Since the toxicity control provisions in the SIP are under revision it is infeasible to develop numeric effluent limitations for chronic toxicity. Therefore, this Order requires that the Discharger meet best management practices for compliance with the Basin Plan’s narrative toxicity objective, as allowed under 40 CFR 122.44(k).

To ensure compliance with the Basin Plan’s narrative toxicity objective, the Discharger is required to conduct chronic whole effluent toxicity testing, as specified in the Monitoring and Reporting Program (Attachment E, Section V.). Furthermore, Special Provisions VI.C.2.a. of this Order requires the Discharger to investigate the causes of, and identify and implement corrective actions to reduce or eliminate effluent toxicity. If the discharge demonstrates a pattern of toxicity exceeding the numeric toxicity monitoring trigger, the Discharger is required to initiate a Toxicity Reduction Evaluation (TRE), in accordance with an approved TRE work plan. The numeric toxicity monitoring trigger is not an effluent limitation, it is the toxicity threshold at which the Discharger is required to perform accelerated chronic toxicity monitoring, as well as, the threshold to initiate a TRE if a pattern of effluent toxicity has been demonstrated.

D. Final Effluent Limitations

1. Mass-based Effluent Limitations.

Title 40 CFR 122.45(f)(1) requires effluent limitations be expressed in terms of mass, with some exceptions, and 40 CFR 122.45(f)(2) allows pollutants that are limited in terms of mass to additionally be limited in terms of other units of measurement. This Order includes effluent limitations expressed in terms of mass and concentration. In addition, pursuant to the exceptions to mass limitations provided in 40 CFR 122.45(f)(1), some effluent limitations are not expressed in terms of mass, such as pH and temperature, and when the applicable standards are expressed in terms of concentration (e.g. CTR criteria and MCLs) and mass limitations are not necessary to protect the beneficial uses of the receiving water.

2. Satisfaction of Anti-Backsliding Requirements.

All effluent limitations in this Order are at least as stringent as the effluent limitations in the previous Order.

3. Satisfaction of Antidegradation Policy

The permitted discharge is consistent with the antidegradation provisions of 40 CFR 131.12 and State Water Board Resolution 68-16. Compliance with these

requirements will result in the use of best practicable treatment or control of the discharge. The impact on existing water quality will be insignificant.

Summary of Final Effluent Limitations Discharge Point 001

Table F-8. Summary of Final Effluent Limitations

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Suspended Solids	mg/L	--	--	100	--	--
Settleable Solids	mL/L	0.1	--	0.2	--	--
Electrical Conductivity	µmhos/cm	700	--	900	--	--
pH	s.u.	--	--	--	6.0	9.0
Copper	µg/L	3.3	--	6.6	--	--
Lead	µg/L	0.56	--	1.13	--	--

Acute Whole Effluent Toxicity. Survival of aquatic organisms in 96-hour bioassays of undiluted waste shall be no less than:

- i. 70%, minimum for any one bioassay; and
- ii. 90%, median for any three consecutive bioassays.

E. Interim Effluent Limitations

1. **Copper and Lead.** The SIP, section 2.2.1, requires that if a compliance schedule is granted for a CTR or NTR constituent, the Regional Water Board shall establish interim requirements and dates for their achievement in the NPDES permit. The interim limitations must be based on current treatment plant performance or existing permit limitations, whichever is more stringent. The State Water Board has held that the SIP may be used as guidance for non-CTR constituents. Therefore, the SIP requirement for interim effluent limitations has been applied to both CTR and non-CTR constituents in this Order.

The interim limitations for copper and lead in this Order are based on the current treatment plant performance. In developing the interim limitation, where there are ten sampling data points or more, sampling and laboratory variability is accounted for by establishing interim limits that are based on normally distributed data where 99.9% of the data points will lie within 3.3 standard deviations of the mean (*Basic Statistical Methods for Engineers and Scientists, Kennedy and Neville, Harper and Row*). Therefore, the interim limitations in this Order are established as the mean plus 3.3 standard deviations of the available data.

When there are less than ten sampling data points available, the *Technical Support Document for Water Quality- Based Toxics Control* ((EPA/505/2-90-001), TSD) recommends a coefficient of variation of 0.6 be utilized as representative of wastewater effluent sampling. The TSD recognizes that a minimum of ten data points is necessary to conduct a valid statistical analysis. The multipliers contained in Table 5-2 of the TSD are used to determine a maximum daily limitation based on a long-term average objective. In this case, the long-term average objective is to maintain, at a minimum, the current plant performance level. Therefore, when there are less than ten sampling points for a constituent, interim limitations are based on 3.11 times the maximum observed effluent concentration to obtain the daily maximum interim limitation (TSD, Table 5-2).

The Regional Water Board finds that the Discharger can undertake source control and treatment plant measures to maintain compliance with the interim limitations included in this Order. Interim limitations are established when compliance with effluent limitations cannot be achieved by the existing discharge. Discharge of constituents in concentrations in excess of the final effluent limitations, but in compliance with the interim effluent limitations, can significantly degrade water quality and adversely affect the beneficial uses of the receiving stream on a long-term basis. The interim limitations, however, establish an enforceable ceiling concentration until compliance with the effluent limitation can be achieved.

Table 7 summarizes the calculations of the interim effluent limitations for copper and lead:

Table F-9. Interim Effluent Limitation Calculation Summary

Parameter	MEC	Mean	Std. Dev.	# of Sample s	Interim Limitation
Copper	6.96	6.23	1.0	2	21.65
Lead	0.82	0.81	0.014	2	2.55

Note: All values are in µg/L.

F. Land Discharge Specifications – Not Applicable

G. Reclamation Specifications – Not Applicable

V. RATIONALE FOR RECEIVING WATER LIMITATIONS

Basin Plan water quality objectives to protect the beneficial uses of surface water and groundwater include numeric objectives and narrative objectives, including objectives for chemical constituents, toxicity, and tastes and odors. The toxicity objective requires that surface water and groundwater be maintained free of toxic substances in concentrations that produce detrimental physiological responses in humans, plants, animals, or aquatic life. The chemical constituent objective requires that surface water and groundwater shall not contain chemical constituents in concentrations that adversely affect any beneficial use or that exceed the maximum contaminant levels (MCLs) in Title 22, CCR. The tastes and odors objective states that surface water and groundwater shall not contain taste- or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial

uses. The Basin Plan requires the application of the most stringent objective necessary to ensure that surface water and groundwater do not contain chemical constituents, toxic substances, radionuclides, or taste and odor producing substances in concentrations that adversely affect domestic drinking water supply, agricultural supply, or any other beneficial use.

Receiving water limitations are also used in this permit to ensure that the regulated storm water discharge does not cause the water quality of the receiving water to exceed an applicable standard.

A. Surface Water

1. CWA section 303(a-c), requires states to adopt water quality standards, including criteria where they are necessary to protect beneficial uses. The Regional Water Board adopted water quality criteria as water quality objectives in the Basin Plan. The Basin Plan states that “[t]he numerical and narrative water quality objectives define the least stringent standards that the Regional Board will apply to regional waters in order to protect the beneficial uses.” The Basin Plan includes numeric and narrative water quality objectives for various beneficial uses and water bodies. This Order contains Receiving Surface Water Limitations based on the Basin Plan numerical and narrative water quality objectives for biostimulatory substances, chemical constituents, color, copper, dissolved oxygen, floating material, iron, lead, oil and grease, pH, pesticides, radioactivity, salinity, sediment, settleable material, suspended material, tastes and odors, temperature, toxicity, turbidity, and electrical conductivity.

Numeric Basin Plan objectives for bacteria, dissolved oxygen, pH, temperature, and turbidity are applicable to this discharge and have been incorporated as Receiving Surface Water Limitations. Rational for these numeric receiving surface water limitations are as follows:

- a. **Biostimulatory Substances.** The Basin Plan includes a water quality objective that “[W]ater shall not contain biostimulatory substances which promote aquatic growths in concentrations that cause nuisance or adversely affect beneficial uses.” Receiving Water Limitations for biostimulatory substances are included in this Order and are based on the Basin Plan objective.
- b. **Color.** The Basin Plan includes a water quality objective that “[W]ater shall be free of discoloration that causes nuisance or adversely affects beneficial uses.” Receiving Water Limitations for color are included in this Order and are based on the Basin Plan objective.
- c. **Copper.** The CTR and Basin Plan include hardness-dependent water quality criteria and objectives for the protection of freshwater aquatic life for copper as follows:

- i. CTR Criteria Continuous Concentration (4-day Average, dissolved) = $(\exp\{0.8545[\ln(\text{hardness})] - 1.702\}) \times 0.960$;
- ii. CTR Criteria Maximum Concentration (1-hour Average, dissolved) = $(\exp\{0.9422[\ln(\text{hardness})] - 1.700\}) \times 0.960$; and
- iii. Basin Plan Objective (instantaneous maximum, dissolved) = $(\exp\{0.905[\ln(\text{hardness})] - 1.612\})$.

The discharge shall not cause the water quality in Mill Creek to exceed any of the above criteria or objectives.

The criteria for copper are presented in dissolved concentrations. The USEPA default conversion factors for copper in freshwater are 0.96 for both the acute and the chronic criteria.

- d. **Chemical Constituents.** The Basin Plan includes a water quality objective that “[W]aters shall not contain chemical constituents in concentrations that adversely affect beneficial uses.” Receiving Water Limitations for chemical constituents are included in this Order and are based on the Basin Plan objective.
- e. **Dissolved Oxygen.** The Mill Creek has been designated as having the beneficial use of cold freshwater aquatic habitat (COLD). For water bodies designated as having COLD as a beneficial use, the Basin Plan includes a water quality objective of maintaining a minimum of 7.0 mg/L of dissolved oxygen. Since the beneficial use of COLD does apply to the Mill Creek, a receiving water limitation of 7.0 mg/L for dissolved oxygen was included in this Order.

For surface water bodies outside of the Delta, the Basin Plan includes the water quality objective that “...the monthly median of the mean daily dissolved oxygen (DO) concentration shall not fall below 85 percent of saturation in the main water mass, and the 95 percentile concentration shall not fall below 75 percent of saturation.” This objective was included as a receiving water limitation in this Order.
- f. **Floating Material.** The Basin Plan includes a water quality objective that “[W]ater shall not contain floating material in amounts that cause nuisance or adversely affect beneficial uses.” Receiving Water Limitations for floating material are included in this Order and are based on the Basin Plan objective.
- g. **Iron.** The Secondary MCL - Consumer Acceptance Limit for iron is 300 µg/L. The observed MEC for iron was 3,800 ug/L based on seventy-five samples collected between 23 January 2003 and 16 April 2007, while the maximum observed upstream receiving water iron concentration was 2,530 ug/L based on seventy-five samples collected between 23 January 2003 and 16 April 2007. A receiving water limitation of 300 ug/L for iron is included in this Order based on protection of the Basin Plan’s narrative chemical constituents objective.

- h. **Lead.** The CTR and Basin Plan include hardness-dependent water quality criteria and objectives for the protection of freshwater aquatic life for lead as follows:

- i. CTR Criteria Continuous Concentration (4-day Average, dissolved) = $(\exp\{1.273[\ln(\text{hardness})] - 4.705\}) \times (1.46203 - \{[\ln(\text{hardness})] \times [0.145712]\})$;
- ii. CTR Criteria Maximum Concentration (1-hour Average, dissolved) = $(\exp\{1.273[\ln(\text{hardness})] - 1.460\}) \times (1.46203 - \{[\ln(\text{hardness})] \times [0.145712]\})$.

The discharge shall not cause the water quality in Mill Creek to exceed any of the above criteria or objectives.

The criteria for lead are presented in dissolved concentrations. The USEPA default conversion factors for lead in freshwater are 0.791 for both the acute and the chronic criteria.

- i. **Oil and Grease.** The Basin Plan includes a water quality objective that “[W]aters shall not contain oils, greases, waxes, or other materials in concentrations that cause nuisance, result in a visible film or coating on the surface of the water or on objects in the water, or otherwise adversely affect beneficial uses.” Receiving Water Limitations for oil and grease are included in this Order and are based on the Basin Plan objective.
- j. **pH.** The Basin Plan includes water quality objective that “[T]he pH shall not be depressed below 6.5 nor raised above 8.5. Changes in normal ambient pH levels shall not exceed 0.5 in fresh waters with designated COLD or WARM beneficial uses” This Order includes receiving water limitations for both pH range and pH change.

The Basin Plan allows an appropriate averaging period for pH change in the receiving stream. Since there is no technical information available that indicates that aquatic organisms are adversely affected by shifts in pH within the 6.5 to 8.5 range, an averaging period is considered appropriate and a monthly averaging period for determining compliance with the 0.5 receiving water pH limitation is included in this Order.

- k. **Pesticides.** The Basin Plan includes a water quality objective for pesticides beginning on page III-6.00. Receiving Water Limitations for pesticides are included in this Order and are based on the Basin Plan objective.
- l. **Radioactivity.** The Basin Plan includes a water quality objective that “[R]adionuclides shall not be present in concentrations that are harmful to human, plant, animal or aquatic life nor that result in the accumulation of radionuclides in the food web to an extent that presents a hazard to human, plant, animal or aquatic life.” The Basin Plan states further that “[A]t a minimum,

waters designated for use as domestic or municipal supply (MUN) shall not contain concentrations of radionuclides in excess of the maximum contaminant levels (MCLs) specified in Table 4 (MCL Radioactivity) of Section 64443 of Title 22 of the California Code of Regulations...” Receiving Water Limitations for radioactivity are included in this Order and are based on the Basin Plan objective.

- m. **Sediment.** The Basin Plan includes a water quality objective that “[T]he *suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect beneficial uses*” Receiving Water Limitations for suspended sediments are included in this Order and are based on the Basin Plan objective.
- n. **Settleable Material.** The Basin Plan includes a water quality objective that “[W]aters *shall not contain substances in concentrations that result in the deposition of material that causes nuisance or adversely affects beneficial uses.*” Receiving Water Limitations for settleable material are included in this Order and are based on the Basin Plan objective.
- o. **Suspended Material.** The Basin Plan includes a water quality objective that “[W]aters *shall not contain suspended material in concentrations that cause nuisance or adversely affect beneficial uses.*” Receiving Water Limitations for suspended material are included in this Order and are based on the Basin Plan objective.
- p. **Taste and Odors.** The Basin Plan includes a water quality objective that “[W]ater *shall not contain taste- or odor-producing substances in concentrations that impart undesirable tastes or odors to domestic or municipal water supplies or to fish flesh or other edible products of aquatic origin, or that cause nuisance, or otherwise adversely affect beneficial uses.*” Receiving Water Limitations for taste- or odor-producing substances are included in this Order and are based on the Basin Plan objective.
- q. **Temperature.** The Mill Creek has the beneficial uses of COLD. The Basin Plan includes the objective that “[a]t *no time or place shall the temperature of COLD or WARM intrastate waters be increased more than 5°F above natural receiving water temperature.*” This Order includes a receiving water limitation based on this objective.
- r. **Toxicity.** The Basin Plan includes a water quality objective that “[A]ll *waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life.*” Receiving Water Limitations for toxicity are included in this Order and are based on the Basin Plan objective.
- s. **Turbidity.** The Basin Plan includes a water quality objective that “[I]ncreases in *turbidity attributable to controllable water quality factors shall not exceed the following limits:*

- *Where natural turbidity is between 0 and 5 Nephelometric Turbidity Units (NTUs), increases shall not exceed 1 NTU.*
- *Where natural turbidity is between 5 and 50 NTUs, increases shall not exceed 20 percent.*
- *Where natural turbidity is between 50 and 100 NTUs, increases shall not exceed 10 NTUs.*
- *Where natural turbidity is greater than 100 NTUs, increases shall not exceed 10 percent.”*

A numeric Receiving Surface Water Limitation for turbidity is included in this Order and is based on the Basin Plan objective for turbidity.

B. Groundwater

1. The beneficial uses of the underlying ground water are municipal and domestic supply, industrial service supply, industrial process supply, and agricultural supply.
2. Basin Plan water quality objectives include narrative objectives for chemical constituents, tastes and odors, and toxicity of groundwater. The toxicity objective requires that groundwater be maintained free of toxic substances in concentrations that produce detrimental physiological responses in humans, plants, animals, or aquatic life. The chemical constituent objective states groundwater shall not contain chemical constituents in concentrations that adversely affect any beneficial use. The tastes and odors objective prohibits taste- or odor-producing substances in concentrations that cause nuisance or adversely affect beneficial uses. The Basin Plan also establishes numerical water quality objectives for chemical constituents and radioactivity in groundwaters designated as municipal supply. These include, at a minimum, compliance with MCLs in Title 22 of the CCR. The bacteria objective prohibits coliform organisms at or above 2.2 MPN/100 ml. The Basin Plan requires the application of the most stringent objective necessary to ensure that waters do not contain chemical constituents, toxic substances, radionuclides, taste- or odor-producing substances, or bacteria in concentrations that adversely affect municipal or domestic supply, agricultural supply, industrial supply or some other beneficial use.
3. Groundwater limitations are required to protect the beneficial uses of the underlying groundwater.

VI. RATIONALE FOR MONITORING AND REPORTING REQUIREMENTS

Section 122.48 requires that all NPDES permits specify requirements for recording and reporting monitoring results. Water Code sections 13267 and 13383 authorizes the Regional Water Board to require technical and monitoring reports. The Monitoring and Reporting Program (MRP), Attachment E of this Order, establishes monitoring and reporting requirements to implement federal and state requirements. The following provides the rationale for the monitoring and reporting requirements contained in the MRP for this facility.

A. Influent Monitoring – Not Applicable

B. Effluent Monitoring

1. Pursuant to the requirements of 40 CFR §122.44(i)(2) effluent monitoring is required for all constituents with effluent limitations. Effluent monitoring is necessary to assess compliance with effluent limitations, assess the effectiveness of the treatment process, and to assess the impacts of the discharge on the receiving stream and groundwater.

C. Whole Effluent Toxicity Testing Requirements

1. **Acute Toxicity.** Semi-annual 96-hour bioassay testing is required to demonstrate compliance with the effluent limitation for acute toxicity.
2. **Chronic Toxicity.** Annual chronic whole effluent toxicity testing is required in order to demonstrate compliance with the Basin Plan's narrative toxicity objective.

D. Receiving Water Monitoring

1. Surface Water

- a. Receiving water monitoring is necessary to assess compliance with receiving water limitations and to assess the impacts of the discharge on the receiving stream.

2. Groundwater

- a. Section 13267 of the California Water Code states, in part, “(a) A Regional Water Board, in establishing...waste discharge requirements... may investigate the quality of any waters of the state within its region” and “(b) (1) In conducting an investigation..., the Regional Water Board may require that any person who... discharges... waste...that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the Regional Water Board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports.” The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be

obtained from the reports. In requiring those reports, the Regional Water Board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports. The Monitoring and Reporting Program (Attachment E) is issued pursuant to California Water Code Section 13267. The groundwater monitoring and reporting program required by this Order and the Monitoring and Reporting Program are necessary to assure compliance with these waste discharge requirements. The Discharger is responsible for the discharges of waste at the facility subject to this Order.

- b. Monitoring of the groundwater must be conducted to determine if the discharge has caused an increase in constituent concentrations, when compared to background. The monitoring must, at a minimum, require a complete assessment of groundwater impacts including the vertical and lateral extent of degradation, an assessment of all wastewater-related constituents which may have migrated to groundwater, an analysis of whether additional or different methods of treatment or control of the discharge are necessary to provide best practicable treatment or control to comply with Resolution No. 68-16. Economic analysis is only one of many factors considered in determining best practicable treatment or control. If monitoring indicates that the discharge has incrementally increased constituent concentrations in groundwater above background, this permit may be reopened and modified. Until groundwater monitoring is sufficient, this Order contains Groundwater Limitations that allow groundwater quality to be degraded for certain constituents when compared to background groundwater quality, but not to exceed water quality objectives. If groundwater quality has been degraded by the discharge, the incremental change in pollutant concentration (when compared with background) may not be increased. If groundwater quality has been or may be degraded by the discharge, this Order may be reopened and specific numeric limitations established consistent with Resolution 68-16 and the Basin Plan.
- c. This Order requires the Discharger to continue groundwater monitoring and includes a regular schedule of groundwater monitoring in the attached Monitoring and Reporting Program. The groundwater monitoring reports are necessary to evaluate impacts to waters of the State to assure protection of beneficial uses and compliance with Regional Board plans and policies, including Resolution 68-16. Evidence in the record includes effluent monitoring data that indicates the presence of constituents that may degrade groundwater and surface water.

E. Other Monitoring Requirements

1. Storm Water monitoring

Federal Regulations for storm water discharges were promulgated by USEPA on 16 November 1990 (40 CFR Parts 122, 123, and 124). The regulations require specific categories of facilities, which discharge storm water associated with industrial activity (storm water), to obtain NPDES permits and to implement Best Available Technology Economically Achievable and Best Conventional Pollutant

Control Technology to reduce or eliminate industrial storm water pollution. This order implements the regulations, and relieves the Discharger from obtaining coverage under the general industrial storm water permit.

2. Industrial Water Supply monitoring

Industrial water supply monitoring is necessary to assess the background water iron concentrations in the industrial water supplied to the cogeneration plant.

3. Cogeneration Plant monitoring

Cogeneration plant monitoring is necessary to assess the iron concentration in the effluent from the cogeneration plant, before mixing with stormwater in the retention pond. This requirement will be used along with the results of the industrial water supply monitoring to determine if there is the reasonable potential of the effluent from the cogeneration plant to cause an in-stream excursion above applicable water quality standards. . If there is a reasonable potential, then the Order will be reopened and effluent limits will be assigned as applicable.

VII. RATIONALE FOR PROVISIONS

A. Standard Provisions

Standard Provisions, which apply to all NPDES permits in accordance with section 122.41, and additional conditions applicable to specified categories of permits in accordance with section 122.42, are provided in Attachment D. The discharger must comply with all standard provisions and with those additional conditions that are applicable under section 122.42.

Section 122.41(a)(1) and (b) through (n) establish conditions that apply to all State-issued NPDES permits. These conditions must be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to the regulations must be included in the Order. Section 123.25(a)(12) allows the state to omit or modify conditions to impose more stringent requirements. In accordance with section 123.25, this Order omits federal conditions that address enforcement authority specified in sections 122.41(j)(5) and (k)(2) because the enforcement authority under the Water Code is more stringent. In lieu of these conditions, this Order incorporates by reference Water Code section 13387(e).

B. Special Provisions

1. Reopener Provisions

- a. **Pollution Prevention.** This Order requires the Discharger prepare pollution prevention plans following CWC section 13263.3(d)(3) for copper and lead. This reopener provision allows the Regional Water Board to reopen this Order for

addition and/or modification of effluent limitations and requirements for these constituents based on a review of the pollution prevention plans.

- b. **Log Yard Flushing.** Results from the log yard flushing study may be used to establish a discharge specification requiring a certain volume of flush or amount of rainfall before log yard runoff can be directed to the storm water retention pond and off site. This Order may be reopened to implement the discharge specification.
- c. **Whole Effluent Toxicity.** This Order requires the Discharger to investigate the causes of, and identify corrective actions to reduce or eliminate effluent toxicity through a Toxicity Reduction Evaluation (TRE). This Order may be reopened to include a numeric chronic toxicity limitation, a new acute toxicity limitation, and/or a limitation for a specific toxicant identified in the TRE. Additionally, if a numeric chronic toxicity water quality objective is adopted by the State Water Board, this Order may be reopened to include a numeric chronic toxicity limitation based on that objective.
- d. **Mixing Zone and Dilution Studies.** Section 1.4 of the SIP established procedures for calculating effluent limitations. Included in the procedures is determination of a dilution credit, which the Regional Water Board may approve or disapprove at its discretion. However, the Discharger has not developed the information needed to determine a dilution credit. Consequently, this Order establishes final effluent limitations based on zero dilution. This Order also has a reopener that allows new effluent limitations to be adopted if a mixing zone and dilution study demonstrates that dilution credits are appropriate.
- e. **Electrical Conductivity.** If the Regional Board determines that a receiving water quality objective for electrical conductivity of 700 umhos/cm is required to protect agricultural activities, then this Order may be reopened and limitations added or modified to provide such protection.

2. Special Studies and Additional Monitoring Requirements

- a. **Log Yard Flushing Study.** The Discharger shall develop a plan for conducting a Log Yard Flushing study, to be approved by the Regional Water Board. The Plan shall be submitted to the Regional Water Board prior to the 2008/2009 wet season. The intent of the study is to determine the minimum volume of flush **or** amount of rainfall that is required to ensure residual pollutants (e.g., tannins & lignins, EC, COD, and turbidity) on the log yard have been sufficiently removed prior to initiating discharge to the storm water retention pond and off site. All runoff from the log yard must be contained until constituents of concern reach acceptable concentrations. Results of the study must be submitted to the Regional Water Board prior to the 2009/2010 wet season.
- b. **Chronic Whole Effluent Toxicity Requirements.** The Basin Plan contains a narrative toxicity objective that states, *"All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in*

human, plant, animal, or aquatic life." (Basin Plan at III-8.00.) Based on quarterly whole effluent chronic toxicity testing performed by the Discharger from 2002 through 2007, the discharge has reasonable potential to cause or contribute to an to an in-stream excursion above of the Basin Plan's narrative toxicity objective.

This provision requires the Discharger to develop a Toxicity Reduction Evaluation (TRE) Work Plan in accordance with EPA guidance. In addition, the provision provides a numeric toxicity monitoring trigger and requirements for accelerated monitoring, as well as, requirements for TRE initiation if a pattern of toxicity has been demonstrated.

Monitoring Trigger. A numeric toxicity monitoring trigger of $> 1 \text{ TUc}$ (where $\text{TUc} = 100/\text{NOEC}$) is applied in the provision, because this Order does not allow any dilution for the chronic condition. Therefore, a TRE is triggered when the effluent exhibits a pattern of toxicity at 100% effluent.

Accelerated Monitoring. The provision requires accelerated WET testing when a regular WET test result exceeds the monitoring trigger. The purpose of accelerated monitoring is to determine, in an expedient manner, whether there is a pattern of toxicity before requiring the implementation of a TRE. Due to possible seasonality of the toxicity, the accelerated monitoring should be performed in a timely manner, preferably taking no more than 2 to 3 months to complete.

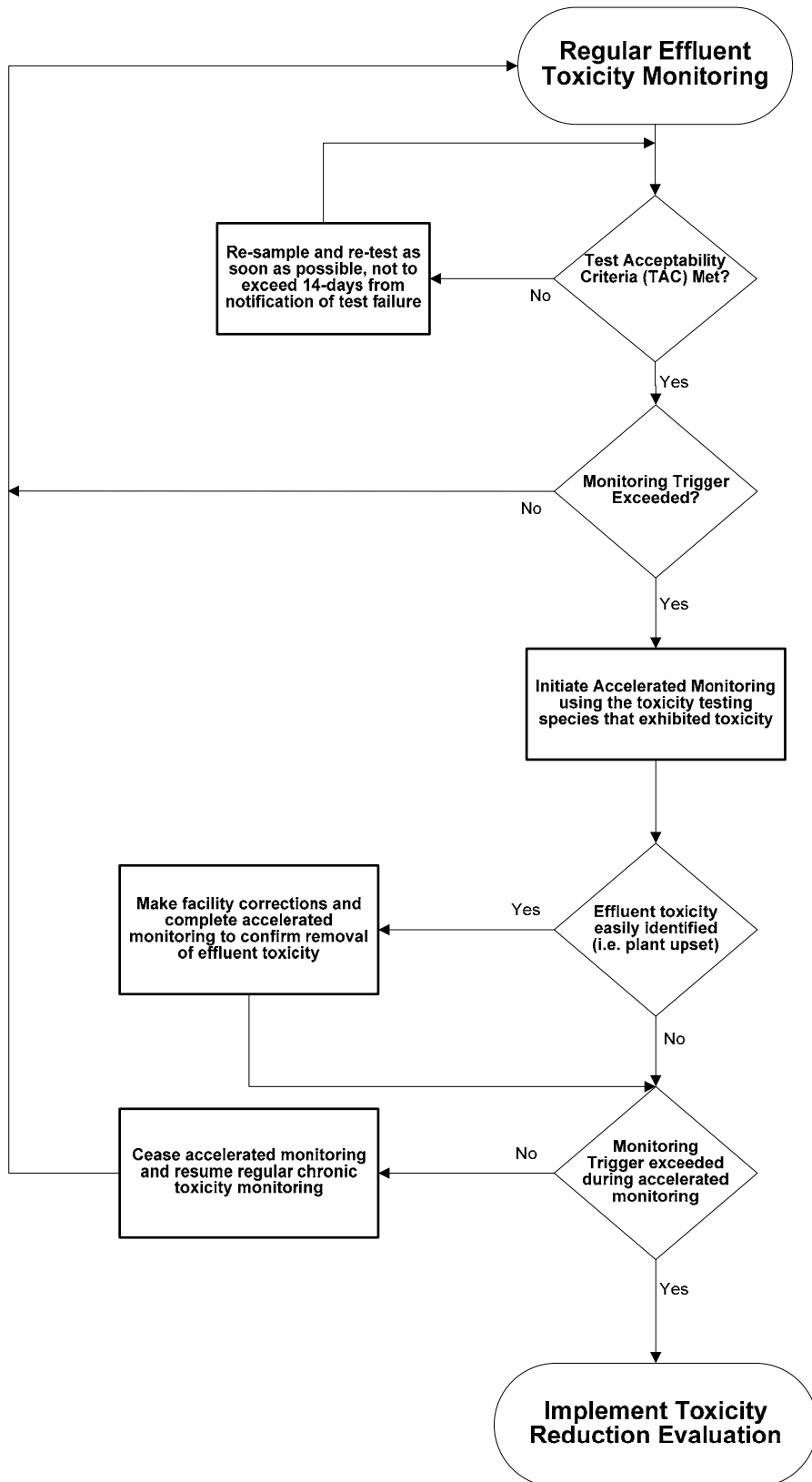
The provision requires accelerated monitoring consisting of four chronic toxicity tests every two weeks using the species that exhibited toxicity. Guidance regarding accelerated monitoring and TRE initiation is provided in the *Technical Support Document for Water Quality-based Toxics Control, EPA/505/2-90-001, March 1991* (TSD). The TSD at page 118 states, "EPA recommends if toxicity is repeatedly or periodically present at levels above effluent limits more than 20 percent of the time, a TRE should be required." Therefore, four accelerated monitoring tests are required in this provision. If no toxicity is demonstrated in the four accelerated tests, then it demonstrates that toxicity is not present at levels above the monitoring trigger more than 20 percent of the time (only 1 of 5 tests are toxic, including the initial test). However, notwithstanding the accelerated monitoring results, if there is adequate evidence of a pattern of effluent toxicity (i.e. toxicity present exceeding the monitoring trigger more than 20 percent of the time), the Executive Officer may require that the Discharger initiate a TRE.

See the WET Accelerated Monitoring Flow Chart (Figure F-X), below, for further clarification of the accelerated monitoring requirements and for the decision points for determining the need for TRE initiation.

TRE Guidance. The Discharger is required to prepare a TRE Work Plan in accordance with USEPA guidance. Numerous guidance documents are available, as identified below:

- *Toxicity Reduction Evaluation Guidance for Municipal Wastewater Treatment Plants*, (EPA/833B-99/002), August 1999.
- *Generalized Methodology for Conducting Industrial TREs*, (EPA/600/2-88/070), April 1989.
- *Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures*, Second Edition, EPA 600/6-91/005F, February 1991.
- *Toxicity Identification Evaluation: Characterization of Chronically Toxic Effluents, Phase I*, EPA 600/6-91/005F, May 1992.
- *Methods for Aquatic Toxicity Identification Evaluations: Phase II Toxicity Identification Procedures for Samples Exhibiting acute and Chronic Toxicity*, Second Edition, EPA 600/R-92/080, September 1993.
- *Methods for Aquatic Toxicity Identification Evaluations: Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity*, Second Edition, EPA 600/R-92/081, September 1993.
- *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, Fifth Edition, EPA-821-R-02-012, October 2002.
- *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms*, Fourth Edition, EPA-821-R-02-013, October 2002.
- *Technical Support Document for Water Quality-based Toxics Control*, EPA/505/2-90-001, March 1991

Figure F-3
WET Accelerated Monitoring Flow Chart



- b. **Groundwater Monitoring (Special Provisions VI.C.2.c.).** To determine compliance with Groundwater Limitations V.B., the Discharger is required to evaluate the adequacy of its groundwater monitoring network. This provision requires the Discharger to evaluate its groundwater monitoring network to ensure there are one or more background monitoring wells and a sufficient number of designated monitoring wells downgradient of every treatment, storage, and disposal unit that does or may release waste constituents to groundwater. Currently, there are no groundwater monitoring wells downgradient of the unlined sludge drying beds and lined aerated lagoons. The Discharger submit a report evaluating the underlying groundwater by **March 1, 2009**. If the monitoring shows that any constituent concentrations are increased above background water quality, by **November 1, 2009**, the Discharger shall submit a technical report describing the groundwater evaluation report results and critiquing each evaluated facility component with respect to BPTC and minimizing the discharge's impact on groundwater quality.
- c. **Storm Water Pollution Controls.**
- i. Prior to **15 October** of each year, the Discharger shall implement necessary erosion control measures and any necessary construction, maintenance, or repairs of drainage and erosion control facilities.
 - ii. The Discharger has prepared a Storm Water Pollution Prevention Plan (SWPPP) containing best management practices to reduce pollutants in the storm water discharges. The Discharger shall review and amend as appropriate the SWPPP whenever there are changes that may affect the discharge of significant quantities of pollutants to surface water, if there are violations of this permit, or if the general objective of controlling pollutants in the storm water discharges has not been achieved. The amended SWPPP shall be submitted prior to **15 October** in the year in which it was prepared.
 - iii. By **1 July** of each year, the Discharger shall submit a Storm Water Annual Report for the previous fiscal year (1 July to 30 June). The report shall be signed in accordance with Standard Provisions V.B and may be submitted using the General Industrial Storm Water Annual Report Form, provided by the State Water Resources Control Board, or in a format that contains equivalent information.
- d. **BPTC Evaluation.** This Order requires the Discharger to evaluate the existing July 2004 BPTC report, as required by Resolution 68-16. The Discharger shall submit a work plan and time schedule for the BPTC evaluation which shall be completed and submitted to the Regional Water Board within 6 months of the effective date of this Order for approval by the Executive Officer. The BPTC evaluation shall be completed and submitted to the Regional Water Board within two (2) years following the effective date of this Order.

- e. **Salinity Evaluation and Minimization Plan.** The Discharger shall prepare a salinity evaluation and minimization plan to address sources of salinity from the Facility. The plan shall be completed and submitted to the Regional Water Board **within 2 years of the effective date of this Order** for the approval by the Executive Officer.

3. Best Management Practices and Pollution Prevention

- a. The SIP states in footnote number 1 of the introduction, "This Policy does not apply to regulation of storm water discharges. The SWRCB has adopted precedential decisions addressing regulation of municipal storm water discharges in Orders WQ 91-03, 91-04, 96-13, 98-01, and 99-05. The SWRCB has also adopted two statewide general permits regulating the discharge of pollutants contained in storm water from industrial and construction activities." Therefore the SIP provisions for establishment of effluent limitations are not applicable for storm water discharges. While effluent limitations for discharges from outfall 001 have been established, for storm water discharges from the Facility, receiving water limitations and BMPs ensure that beneficial uses of the receiving water are protected and water quality standards are not exceeded. Storm water discharges could be regulated under the existing State Water Board general industrial storm water permit (Order No. 97-03-DWQ, NPDES No. CAS000001). However, due to the complexity of the Facility, the Regional Water Board has elected to regulate this Facility with an individual NPDES permit.

Applicable water quality objectives and criteria have been used as receiving water limitations, and are also utilized as benchmark values to evaluate BMPs. Direct comparison of pollutant concentrations in Mill Creek at RSW-001 and RSW-002, and the discharges at 001, will be used to ensure that water quality standards are not exceeded.

If any receiving water limitations are exceeded, the Discharger must conduct a BMPs Improvement Evaluation and implement BMP improvements to eliminate the receiving water violations. The BMPs improvement evaluation and proposed BMPs improvements must be submitted to the Regional Water Board for comment within 60 days of the violation date. The BMPs improvements must be implemented as soon as practicable thereafter.

- b. **CWC section 13263.3(d)(3) Pollution Prevention Plans.** The pollution prevention plans required for copper and lead shall, at minimum, meet the requirements outlined in CWC section 13263.3(d)(3). The minimum requirements for the pollution prevention plans include the following:
 - i. An estimate of all of the sources of a pollutant contributing, or potentially contributing, to the loadings of a pollutant in the treatment plant influent.
 - ii. An analysis of the methods that could be used to prevent the discharge of the pollutants into the Facility, including application of local limits to industrial or

commercial dischargers regarding pollution prevention techniques, public education and outreach, or other innovative and alternative approaches to reduce discharges of the pollutant to the Facility. The analysis also shall identify sources, or potential sources, not within the ability or authority of the Discharger to control, such as pollutants in the potable water supply, airborne pollutants, pharmaceuticals, or pesticides, and estimate the magnitude of those sources, to the extent feasible.

- iii. An estimate of load reductions that may be attained through the methods identified in subparagraph ii.
- iv. A plan for monitoring the results of the pollution prevention program.
- v. A description of the tasks, cost, and time required to investigate and implement various elements in the pollution prevention plan.
- vi. A statement of the Discharger's pollution prevention goals and strategies, including priorities for short-term and long-term action, and a description of the Discharger's intended pollution prevention activities for the immediate future.
- vii. A description of the Discharger's existing pollution prevention programs.
- viii. An analysis, to the extent feasible, of any adverse environmental impacts, including cross-media impacts or substitute chemicals that may result from the implementation of the pollution prevention program.
- ix. An analysis, to the extent feasible, of the costs and benefits that may be incurred to implement the pollution prevention program.

4. Construction, Operation, and Maintenance Specifications

- a. Ponds shall be managed to prevent breeding of mosquitoes. In particular
 - a. An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface.
 - b. Weeds shall be minimized.
 - c. Dead algae, vegetation, and debris shall not accumulate on the water surface.
- b. Freeboard shall never be less than two feet from October 1 through April 1 and never less than one foot for the remainder of the year (measured vertically to the lowest point of overflow).

5. Special Provisions for Municipal Facilities (POTWs Only) – Not Applicable

6. Other Special Provisions

- a. All technical reports required herein that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code, Sections 6735, 7835, and 7835.1. To demonstrate compliance with Title 16, CCR, Sections 415 and 3065, all technical reports must contain a statement of the qualifications of the responsible registered professional(s). As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.
- b. In the event the Discharger does not comply or will be unable to comply for any reason, with any prohibition or limitation contained in this Order, this Order requires the Discharger to notify the Regional Water Board by telephone (916) 464-3291 (or to the Regional Water Board staff engineer assigned to the facility) within 24 hours of having knowledge of such noncompliance, and shall confirm this notification in writing within five days, unless the Regional Water Board waives confirmation. The written notification shall include the information required by Federal Standard Provision [40 CFR §122.41(l)(6)(i)].
- c. Prior to making any change in the discharge point, place of use, or purpose of use of the storm water, the Discharger must obtain approval of, or clearance from the State Water Resources Control Board (Division of Water Rights).

In the event of any change in control or ownership of land or facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to this office.

To assume operation under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the State of incorporation if a corporation, address and telephone number of the persons responsible for contact with the Regional Water Board and a statement. The statement shall comply with the signatory paragraph of Federal Standard Provision V.B.5 and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the California Water Code. Transfer shall be approved or disapproved in writing by the Executive Officer.

7. Compliance Schedules

The use and location of compliance schedules in the permit depends on the Discharger's ability to comply and the source of the applied water quality criteria.

- a. This Order establishes a compliance schedule for the new, final, water quality-based effluent limitations for copper and lead and requires full compliance by 18 May 2010.

VIII. PUBLIC PARTICIPATION

The California Regional Water Quality Control Board, Central Valley Region (Regional Water Board) is considering the issuance of waste discharge requirements (WDRs) that will serve as a National Pollutant Discharge Elimination System (NPDES) permit for Sierra Pacific Industries, Quincy Division. As a step in the WDR adoption process, the Regional Water Board staff has developed tentative WDRs. The Regional Water Board encourages public participation in the WDR adoption process.

A. Notification of Interested Parties

The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Notification was provided through physical posting, mailing and internet posting.

B. Written Comments

The staff determinations are tentative. Interested persons are invited to submit written comments concerning these tentative WDRs. Comments must be submitted either in person or by mail to the Executive Office at the Regional Water Board at the address above on the cover page of this Order.

To be fully responded to by staff and considered by the Regional Water Board, written comments should be received at the Regional Water Board offices by noon on **14 May 2008**.

C. Public Hearing

The Regional Water Board will hold a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: **12 June 2008**
Time: 8:30 am
Location: Regional Water Quality Control Board, Central Valley Region
11020 Sun Center Dr., Suite #200
Rancho Cordova, CA 95670

Interested persons are invited to attend. At the public hearing, the Regional Water Board will hear testimony, if any, pertinent to the discharge, WDRs, and permit. Oral testimony will be heard; however, for accuracy of the record, important testimony should be in writing.

Please be aware that dates and venues may change. Our Web address is <http://www.waterboards.ca.gov/centralvalley/> where you can access the current agenda for changes in dates and locations.

D. Waste Discharge Requirements Petitions

Any aggrieved person may petition the State Water Resources Control Board to review the decision of the Regional Water Board regarding the final WDRs. The petition must be submitted within 30 days of the Regional Water Board's action to the following address:

State Water Resources Control Board
Office of Chief Counsel
P.O. Box 100, 1001 I Street
Sacramento, CA 95812-0100

E. Information and Copying

The Report of Waste Discharge (RWD), related documents, tentative effluent limitations and special provisions, comments received, and other information are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Regional Water Board by calling (530) 224-4845.

F. Register of Interested Persons

Any person interested in being placed on the mailing list for information regarding the WDRs and NPDES permit should contact the Regional Water Board, reference this facility, and provide a name, address, and phone number.

G. Additional Information

Requests for additional information or questions regarding this order should be directed to Greg Cash at (530) 224-3208.